

# REVOLUTIONS

**Antares Martius**  
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(2019)

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(63 Vic. No.9)  
THE CRIMINAL CODE, 1899

PART II-OFFENCES AGAINST PUBLIC ORDER

CHAPTER VII-SEDITION

*45. Innocent Intentions*

*It is lawful for any person -*

(a) to endeavour in good faith to show that the Sovereign has been mistaken in any of Her counsels; or

(b) to point out in good faith errors or defects in the government or Constitution of the United Kingdom or of Queensland as by law established, or in legislation, or in the administration of justice, with a view to the reformation of such errors or defects; or

(c) to excite in good faith Her Majesty's subjects to attempt to procure by lawful means the alteration of any matter in the State as by law established; or

(d) to point out in good faith in order to their removal any matters which are producing or have a tendency to produce feelings of ill will and enmity between different classes of Her Majesty's subjects.

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# REVOLUTION

Antares Martius

# REVOLUTION

**revolution** ... *n.* a great upheaval: a complete change, e.g. in outlook, social habits or circumstances: a radical change in government: ... — *adj.* **revolutionary** of or favouring, or of the nature of revolution, esp. in government or conditions. — *n.* one who takes part in, or favours, a revolution. — *v.t.* **revolutionise** ... to cause radical change, or a revolution, in. ... [L.L. *revolutio*, -*onis*.]  
(Chambers Concise Twentieth Century Dictionary)

*Revolution* is not necessarily or exclusively violent or sudden change. Everything “changes” constantly. But this is why we have Constitutions and Laws: these establish and provide a sense of surety and continuity or demonstrate the persistence of the sacro-sanctity of Principles such as *Truth* and *Reasonability* and *Justice* over and above falsehood, stupidity and barbarity.

The establishment of Laws and Constitutions which are founded on the Principles of Truth, Reason and Justice are a Civilising Victory over superstitious custom, brute and predatory aggression and arbitrary lawlessness. Revolution which seeks to overthrow or undermine or subvert the legitimate Laws and/or Constitution is, at best, no more than ideological criminality.

## REVOLUTION

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### *“Unlawful Change”*

(63 Vic. No.9)  
THE CRIMINAL CODE OF 1899

#### PART II-OFFENCES AGAINST PUBLIC ORDER

#### CHAPTER VI-TREASON AND OTHER OFFENCES AGAINST THE SOVEREIGN'S PERSON AND AUTHORITY

##### *37. Treason*

*Any person who -*

(1) Kills the Sovereign, or does Her any bodily harm tending to Her death, or maim[ing] or wounding, or imprisonment or restraint; or

(2) Kills the eldest son and heir-apparent for the time being of the Sovereign, or the Queen Consort of the reigning King; or

(4) Conspires with any other person to kill the Sovereign or to do Her any bodily harm tending to Her death, or maim[ing] or wounding, or imprisonment or restraint; or

(5) Levies war against the Sovereign -

(a) With intent to depose the Sovereign from the style, honour, and royal name, of the Imperial Crown of the United Kingdom of Great Britain and Ireland, or of any other of Her Majesty's dominions; or

(b) In order by force or constraint [or fraud] to compel the Sovereign to change Her measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe, any House of Parliament of any of Her Majesty's dominions; or

(6) Conspires with any other person to levy war against the Sovereign with any such intent or purpose at last aforesaid; or

(7) Instigates any foreigner to make an armed invasion of any part of Her Majesty's dominions; or

(8) Assists by any means whatever any public enemy at war with the Sovereign; or

(9) Violates, whether with her consent or not, a Queen Consort, or the wife of the eldest son and heir-apparent for the time being of the Sovereign;

(3) Forms an intention to do any such act as aforesaid, and manifests such intention by any overt act...

*is guilty of a crime*, which is called treason,  
*and is liable to imprisonment with hard labour for life*,  
which cannot be mitigated or varied under section nineteen of this Code.

## REVOLUTION

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### CRIMES ACT 1914

An Act relating to Offences against the Commonwealth

#### *Part II-Offences against the Government*

##### *24AA Treachery*

(1) A person shall not:

(a) do any act or thing with intent:

(i) to overthrow the Constitution of the Commonwealth by revolution or sabotage; or

(ii) to overthrow by force or violence [or fraud] the established government of the Commonwealth, of a State or of a proclaimed country; or

(b) within the Commonwealth or a Territory not forming part of the Commonwealth:

(i) levy war, or do any act preparatory to levying war, against a proclaimed country;

(ii) assist by any means whatever, with intent to assist, a proclaimed enemy of a proclaimed country; or

(iii) instigate a person to make an armed invasion of a proclaimed country.

(2) Where a part of the Defence Force is on, or is proceeding to, service outside the Commonwealth and the Territories not forming part of the Commonwealth, a person shall not assist by any means whatever, with intent to assist, any persons:

(a) against whom that part of the Defence Force, or a force that includes that part of the Defence Force is or is likely to be opposed; and

(b) who are specified, or included in a class of persons specified, by proclamation to be persons in respect of whom, or a class of persons in respect of which, this subsection applies.

(3) A person who contravenes a provision of this section commits an indictable offence, called treachery.

**Penalty: Imprisonment for life.**

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## REVOLUTION

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### *“Lawful Change”*

The legitimate Laws of the Commonwealth are as they are assented to and enacted by Her Majesty Queen Victoria (and subsequent Monarchs) in and by **THE CRIMINAL CODE [ACT] OF 1899 (63 Vic. No.9)** and in sections of various later Acts of the Parliaments. These legitimate Statutory Civil and Criminal Laws form and constitute the basis and foundation of Civilisation of and in the Commonwealth.

#### (63 Vic. No.9) **THE CRIMINAL CODE OF 1899**

#### **PART II-OFFENCES AGAINST PUBLIC ORDER**

#### **CHAPTER VII-SEDITION**

#### *45. Innocent Intentions*

It is lawful for any person –

(a) to endeavour in good faith to show that the Sovereign has been mistaken in any of Her counsels; or

(b) to point out in good faith errors or defects in the government or Constitution of the United Kingdom or of Queensland as by law established, or in legislation, or in the administration of justice, with a view to the reformation of such errors or defects; or

(c) to excite in good faith Her Majesty's subjects to attempt to procure by lawful means the alteration of any matter in the State as by law established; or

(d) to point out in good faith in order to their removal any matters which are producing or have a tendency to produce feelings of ill will and enmity between different classes of Her Majesty's subjects.

From these statutes, among other matters, we can determine: that it is possible to be mistaken in one's councils; that there may be errors, defects, injustices in the Laws, Constitution, Government, Administration of the Commonwealth; that anyone may lawfully know of them; that anyone may lawfully seek to procure their rectification; that the only means of altering the Laws of the Commonwealth are *Lawful means*. Thus any “laws” made by the Parliaments must be in full conformity to and with the Founding, Criminal, Civil and Constitutional Laws. All and any “laws” passed by an *illegitimate* parliament (one which is not *strictly subject to* and *in full accord with* the Constitution of the Commonwealth) are null and void and in-operative.

## REVOLUTION

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The legitimate Constitution of the Parliaments of the Commonwealth is as it was assented to and enacted by Her Majesty Queen Victoria in and by **THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900** (63 & 64 VICT. c. 12). Any deviation from the Lawful form of the Parliaments means illegitimacy and in-competence, or *no authority to form Parliament or to make any laws*. Convention (one hundred and twenty years) does not legitimise unlawful and unconstitutional Constitutional alterations ("conventions").

(63 & 64 VICT. c. 12)  
**THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900**

**CHAPTER VIII-ALTERATION OF THE CONSTITUTION**

*128. Mode of altering the Constitution*

*This Constitution shall not be altered except in the following manner:—*

The proposed law for the alteration thereof must be passed by an absolute majority of each House of the Parliament, and not less than two nor more than six months after its passage through both Houses the proposed law shall be submitted in each State to the electors qualified to vote for the election of members of the House of Representatives.

But if either House passes any such proposed law by an absolute majority, and the other House rejects or fails to pass it, or passes it with any amendment to which the first-mentioned House will not agree, and if after an interval of three months the first-mentioned House in the same or the next session again passes the proposed law by an absolute majority with or without any amendment which has been made or agreed to by the other House, and such other House rejects or fails to pass it or passes it with any amendment to which the first-mentioned House will not agree, the Governor-General may submit the proposed law as last proposed by the first-mentioned House, and either with or without any amendments subsequently agreed to by both Houses, to the electors in each State qualified to vote for the election of the House of Representatives.

When a proposed law is submitted to the electors the vote shall be taken in such manner as the Parliament prescribes. But until the qualification of electors of members of the House of Representatives becomes uniform throughout the Commonwealth, only one-half the electors voting for and against the proposed law shall be counted in any State in which adult suffrage prevails.

And if in a majority of the States a majority of the electors voting approve the proposed law, and if a majority of all the electors voting also approve the proposed law, it shall be presented to the Governor-General for the Queen's assent.

No alteration diminishing the proportionate representation of any State in either House of the Parliament, or the minimum number of representatives of a State in the House of Representatives, or increasing, diminishing, or otherwise altering the limits of the State, or in any manner affecting the provisions of the Constitution in relation thereto, shall become law unless the majority of the electors voting in that State approve the proposed law.



## REVOLUTION

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These statutes provide the only lawful means of altering any part of the Constitution of the Commonwealth. From our point of view, the Constitution of the Commonwealth is the Civil and Criminal and Constitutional Laws and not merely and simply the *constitution* of the Parliaments, the Judiciary, the relations between the States ... although the legitimacy of the Parliaments and the *Good Govern-ment* of the Commonwealth are fundamentally necessary aspects of the Legitimate Constitution. If the Constitution is unlawfully altered, or any aspect of an amendment is inconsistent with the valid Laws, such alterations and inconsistencies render the alterations ineffective and null and void. A Parliament which is constituted in any manner other than that which is enacted in the Act of 1900 is illegitimate and any "legislation" or amendment or alteration to any laws or any aspect of the Constitution are unlawful and of no effect.

That the constitutionality of the Parliaments of the Commonwealth has never been subjected to honest and studied scrutiny is deplorable. That every interest and convenience *foreign-to* the Crown and Laws and Constitution has sought to subvert and destroy the Commonwealth (by using the precedents of custom and convention and the guided and convenient ignorance of the corrupt) against the legitimate Laws and Constitution is *criminal evil*.

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Antares Martius,  
Santorini, 2019

## REVOLUTION

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As we use it , the term “revolution” and its definition are not to be equated with revolt, or merely with some “violent” over-throw of monarchs or criminal and/or repressive regimes *acting as* govern-ment.

To over-throw and/or to under-mine (or to “abolish” laws, departments, offices, etc.) the principle, founding Acts (statutory laws) of the Commonwealth and/or the Established (as lawfully Constituted) Monarchic and/or governmental authority, the legitimate laws and Constitution of the Commonwealth is what is meant by “revolution”. To act against the criminal, civil or constitutional laws with a view to imposing some arbitrary tyranny, whether overt or covert, is what we mean, here, by “revolution.”

Lawful legislation is only possible if the legislation is made by competent (or legitimate) Parliaments in concordance with the Principle Acts and the valid Constitutional order: criminals and/or unqualified members or senators of unconstitutional Parliaments cannot make valid laws; and/or “laws” which contravene or which are inconsistent with valid laws and/or the spirit and statutes of the Constitution are void and in-operative.

Why would the Laws and Constitution of the Commonwealth be made, if they were intended to be interpreted arbitrarily or to the advantage of criminals or parties ideologically antithetical to those laws and that constitution? The short answer is that the Civil, Criminal and Constitutional Laws were not made to serve criminals or revolutionaries or reacionaries, *at all*.



# REVOLUTION 1986

**Antares Martius**  
(Constitutional Analyst)

(63 & 64 VICT. c. 12)  
THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

An Act To Constitute The Commonwealth Of Australia  
[Assented to 9 July 1900]

*versus*

AUSTRALIA ACT 1986  
An Act to give effect to a request by the Parliament and  
Government of the Commonwealth of Australia  
[Assented to 17 February 1986]

*or*

([Bill] No. [142] of 1985)  
An Act to bring constitutional arrangements affecting the Commonwealth and the States  
into conformity with the status of the Commonwealth of Australia as a  
sovereign, independent and federal nation

## REVOLUTION 1986

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### CRIMES ACT 1914

An Act relating to Offences against the Commonwealth

#### *Part II-Offences against the Government*

##### *24AA Treachery*

(1) A person shall not:

(a) do any act or thing with intent:

(i) to overthrow [or undermine] the Constitution of the Commonwealth by revolution or sabotage; or

(ii) to overthrow by force or violence [or fraud] the established government of the Commonwealth, of a State or of a proclaimed country;...

(3) A person who contravenes a provision of this section commits an indictable offence, called treachery.

Penalty: Imprisonment for life.

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This Crimes Act statute appears to be the only mention of “*revolution*” as a criminal action (treason offence) in all of the Acts that we have been able to access to date. The word is not employed elsewhere, but the notion of it is pre-figured both in Statutes of the Realm (English Law generalised to the colonies under Military Authority) and in **THE CRIMINAL CODE OF 1899** (which is the Lawfully Enacted Civil and Criminal and Constitutional Law of the Commonwealth—the very Constitution that they almost got rid of).

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(63 Vic. No.9)  
THE CRIMINAL CODE OF 1899

PART II-OFFENCES AGAINST PUBLIC ORDER

CHAPTER VI-TREASON AND OTHER OFFENCES AGAINST  
THE SOVEREIGN'S PERSON AND AUTHORITY

37. Treason

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(1) Kills the Sovereign, or does Her any bodily harm tending to Her death, or maim[ing] or wounding, or imprisonment or restraint; or

(2) Kills the eldest son and heir-apparent for the time being of the Sovereign, or the Queen Consort of the reigning King; or

(4) Conspires with any other person to kill the Sovereign or to do Her any bodily harm tending to Her death, or maim[ing] or wounding, or imprisonment or restraint; or

(5) Levies war against the Sovereign –

(a) With intent to depose the Sovereign from the style, honour, and royal name, of the Imperial Crown of the United Kingdom of Great Britain and Ireland, or of any other of Her Majesty's dominions; or

(b) In order by force or constraint [or fraud] to compel the Sovereign to change Her measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe, any House of Parliament of any of Her Majesty's dominions; or

(6) Conspires with any other person to levy war against the Sovereign with any such intent or purpose at last aforesaid; or

(7) Instigates any foreigner to make an armed invasion of any part of Her Majesty's dominions;  
or

(8) Assists by any means whatever any public enemy at war with the Sovereign; or

(9) Violates, whether with her consent or not, a Queen Consort, or the wife of the eldest son and heir-apparent for the time being of the Sovereign;

(3) Forms an intention to do any such act as aforesaid, and manifests such intention by any overt act...

*is guilty of a crime, which is called treason, and is liable to imprisonment with hard labour for life, which cannot be mitigated or varied under section nineteen of this Code.*

The legitimate Constitution of the Parliaments of the Commonwealth is as it was assented to and established and enacted by Her Majesty Queen Victoria in and by THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 (63 & 64 VICT. c.12).

AUSTRALIA ACT 1986 ([Bill] No.[142] of 1985) officially subverts the constitutionally legitimate order of (63 & 64 VICT. c.12). "*Officially*" because, by or from *Federation*, self-interests and convenient interpretations *conventionalised* the Parliaments of the Commonwealth *away from* the lawful and statutory form of governance of the Parliaments as established by both the Laws and Constitution of the Commonwealth.

(34 Eliz. II. c.2), as "*An Act to give effect to a request by the Parliament and Government of the Commonwealth of Australia*" was Most Graciously assented to by Her Majesty Queen Elizabeth II, but we have found and will demonstrate that She may have been *mistaken in Her counsels*.

([Bill] No.[142] of 1985) or AUSTRALIA ACT 1986 attempts to institute a mini-constitution which is repugnant to the Crown and the Laws and the Constitution of the Commonwealth for a number of reasons which will be detailed in the following.

*Correct interpretation* cannot be arrived at if we opine from what we have heard or if we stupidly repeat what we have been told. And *Correct interpretation* cannot be arrived at by referring to quite possibly mistaken, opinionated precedents and determinations. Opinions can always be *mistaken* and interpretations can always be *interested*: traditional or conventional *lore* is not *LAW* and it is to this latter that we must turn if we are to correctly and decisively determine the Truth of the Constitution and Laws of the Legitimate Commonwealth.

That the constitutionality of the Commonwealth has never been subjected to honest and studied scrutiny is deplorable. That every interest and convenience *foreign-to* the Crown and Laws and Constitution has sought to subvert and destroy the Commonwealth by using the precedents of custom and convention is *criminal evil*.

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THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 (63 & 64 VICT. c. 12) versus the unlawful and anti-constitutional revolutionary frauds instituted by "Australia Act 1986".

"Australia Act 1986" institutes a mini -constitution against the Crown, the Sovereign Laws, the Constitution and the Persons of the Commonwealth.

The "Australia Act 1986" mini -constitution uses an invalid instrument to repeal British Parliamentary controls over the Legislative capacities of the States of the Commonwealth.

The "Australia Act 1986" mini -constitution employs an invalid instrument to repeal provisions of The Westminster Act of 1932 (which were back-dated after World War II to apply from the year 1901) as an unlawful means of enacting unlawful and anti-constitutional alterations to THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900, or more specifically, alterations to the Powers and Rights of the Crown and the Constitutionality of the legislatures.

To repeal "British Parliamentary over-sight and control" is one thing, but to use that false excuse to

(a) affect the alteration of the Constitutional order of the Authority and Powers of the Crown; and

(b) affect the alteration of the Constitutional order of the Authority of the Crown's Appointed Governors; and

(c) alter the Constitutional order and authority of the Parliaments of the States; and

(d) to do so by subverting and ignoring the Statutory Constitutional Means of Altering the Constitution of the Parliaments

are other things entirely. And to then preposterously claim that neither the Westminster Act nor the Constitution are thereby affected is to fabricate more lies to distract from what are nothing other than revolutionary crimes (treason) against the Crown of the Commonwealth.



The titles of **THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900** and **AN ACT TO CONSTITUTE THE COMMONWEALTH OF AUSTRALIA** may have a tendency toward being misleading in terms of “constitutionality”, as (63 & 64 VICT. c.12) does not constitute a Rule of Law by which the Persons of the Commonwealth are to live in their relations with one another and/or the larger world beyond.

(63 & 64 VICT. c. 12), as an Act to Constitute the Commonwealth of Australia, statutorily constitutes, among several other matters, the Constitutional Role of the Crown, the Parliaments of the Commonwealth and its States, the relations between the governments of those States, the responsibilities of the legislatures (Parliaments) and their lawful order. The several other matters constituted would be the Electoral System, the Judiciary, the High Court, and the Jurisdiction of the High Court.

(63 & 64 VICT. c. 12)  
**THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900**  
**AN ACT TO CONSTITUTE THE COMMONWEALTH OF AUSTRALIA**

**THE CONSTITUTION**

*9. The Constitution of the Commonwealth shall be as follows:—*

This Constitution is divided as follows:—

Chapter I.—The Parliament:

Part I.—General:

Part II.—The Senate:

Part III.—The House of Representatives:

Part IV.—Both Houses of the Parliament:

Part V.—Powers of the Parliament:

Chapter II.—The Executive Government:

Chapter III.—The Judicature:

Chapter IV.—Finance and Trade:

Chapter V.—The States:

Chapter VI.—New States:

Chapter VII.—Miscellaneous:

Chapter VIII.—Alteration of the Constitution.

(63 & 64 VICT. c. 12)  
THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

*5. Operation of the constitution and laws*

This Act, and all laws made by the Parliament of the Commonwealth under the Constitution, shall be binding on the courts, judges, and people of every State and of every part of the Commonwealth, notwithstanding anything in the laws of any State; and the laws of the Commonwealth shall be in force on all British ships, the Queen's ships of war excepted, whose first port of clearance and whose port of destination are in the Commonwealth.

CONSTITUTION ACT, Section 5 (immediately above), if read incorrectly, could be seen to imply that "all laws made by the Parliament of the Commonwealth under the Constitution" applies to *future laws made by the Parliament of the Commonwealth under the Constitution* are the Laws in question. This would not be incorrect, but only to a limited extent.

If (63 & 64 VICT. c.12) is assumed to be the "supreme law of the Commonwealth" (an *opinion* which is promulgated as "true" by dubious "official" sources, and an in-supportable notion in the terms of the text of Section 5), there must be Laws in place to ensure that the "courts, judges, and people of every State and of every part of the Commonwealth" are *bound to be obedient to*.

Or are we to suppose that (from the date of the Establishment of THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT), there were *no laws* in the Commonwealth, apart from the statutes of (63 & 64 VICT. c.12) ? This would have the effect of there being no laws for anyone but those mentioned in Section 5.

Does (63 & 64 VICT. c. 12) *constitute a state of anarchy* ? Evidently not. Does (63 & 64 VICT. c.12) *constitute a state of anarchy* until such time as the Parliament of the Commonwealth makes laws to govern and bind the behaviour of the members and senators thereof, and/or the behaviour of the persons of the Commonwealth and its territories-colonies-States ? Obviously not.

(63 & 64 VICT. c. 12)  
THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

CHAPTER I  
THE PARLIAMENT  
PART V – POWERS OF THE PARLIAMENT

*51. Legislative powers of the Parliament*

The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to: –

- (i) Trade and commerce with other countries, and among the States:
- (ii) Taxation; but so as not to discriminate between States or parts of States:
- (iii) Bounties on the production or export of goods, but so that such bounties shall be uniform throughout the Commonwealth:
- (iv) Borrowing money on the public credit of the Commonwealth:
- (v) Postal, telegraphic, telephonic, and other like services:
- (vi) The naval and military defence of the Commonwealth and of the several States, and the control of the forces to execute and maintain the laws of the Commonwealth:
- (vii) Lighthouses, lightships, beacons and buoys:
- (viii) Astronomical and meteorological observations:
- (ix) Quarantine:
- (x) Fisheries in Australian waters beyond territorial limits:
- (xi) Census and statistics:
- (xii) Currency, coinage, and legal tender:
- (xiii) Banking, other than State banking; also State banking extending beyond the limits of the State concerned, the incorporation of banks, and the issue of paper money:
- (xiv) Insurance, other than State insurance; also State insurance extending beyond the limits of the State concerned:
- (xv) Weights and measures:
- (xvi) Bills of exchange and promissory notes:
- (xvii) Bankruptcy and insolvency:
- (xviii) Copyrights, patents of inventions and designs, and trade marks:
- (xix) Naturalization and aliens:
- (xx) Foreign corporations, and trading or financial corporations formed within the limits of the Commonwealth:
- (xxi) Marriage:
- (xxii) Divorce and matrimonial causes; and in relation thereto, parental rights, and the custody and guardianship of infants:
- (xxiii) Invalid and old-age pensions:
- (xxiv) The service and execution throughout the Commonwealth of the civil and criminal process and the judgments of the courts of the States:
- (xxv) The recognition throughout the Commonwealth of the laws, the public Acts and records, and the judicial proceedings of the States:
- (xxvi) The people of any race, other than the aboriginal race in any State, for whom it is deemed necessary to make special laws:
- (xxvii) Immigration and emigration:
- (xxviii) The influx of criminals:
- (xxix) External affairs:
- (xxx) The relations of the Commonwealth with the islands of the Pacific:
- (xxxi) The acquisition of property on just terms from any State or person for any purpose in respect of which the Parliament has power to make laws:
- (xxxii) The control of railways with respect to transport for the naval and military purposes of the Commonwealth:
- (xxxiii) The acquisition, with the consent of a State, of any railways of the State on terms arranged between the Commonwealth and the State:
- (xxxiv) Railway construction and extension in any State with the consent of that State:
- (xxxv) Conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State:
- (xxxvi) Matters in respect of which this Constitution makes provision until the Parliament otherwise provides:
- (xxxvii) Matters referred to the Parliament of the Commonwealth by the Parliament or Parliaments of any State or States, but so that the law shall extend only to States by whose Parliaments the matter is referred or which afterwards adopt the law:
- (xxxviii) The exercise within the Commonwealth, at the request or with the concurrence of the Parliaments of all the States directly concerned, of any power which can at the establishment of this Constitution be exercised only by the Parliament of the United Kingdom or by the Federal Council of Australasia:
- (xxxix) Matters incidental to the execution of any power vested by this Constitution in the Parliament or in either House thereof, or in the Government of the Commonwealth, or in the Federal Judicature, or in any department or officer of the Commonwealth.

And given that the legislative powers of the members and senators of the Parliaments *are not executive* and *do not extend to* matters of legislating the Civil and Criminal Law, surely there must be laws in place to govern and pre-determine what is a *Civil Right* and what is a criminal wrong. What kind of Constitution would it be which constituted any State without enacting any laws? The Parliaments of the colonies-States of the Commonwealth are not constituted in (63 & 64 VICT. c.12) to authorise the colonies-States to legislate of the Civil and Criminal Law, and the judiciary is not a legislative body with Constitutional legislative-executive authority.

The same dubious figures who proclaim that (63 & 64 VICT. c. 12) is the “supreme law of the Commonwealth” also assert without argumentation or corroboration that the “rule of law in the Commonwealth is the *common law*”. Does this mean that English common law and precedence law, as it has accumulated since THE AUSTRALIAN CONSTITUTIONS ACT OF 1942, for example, is the Sovereign Rule of Law of the Commonwealth? This would not make sense because the opinionated sources (previously referred to) who claim that THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT is the “Supreme Law”; an Act which is comprised of *Laws* (Acts-statutes-sections), but which contains no Schedule of the Civil and Criminal Law of the Commonwealth. Is the jurisdiction of the Commonwealth *common law*? Does this mean that the High Court is constituted in (63 & 64 VICT. c.12) to make determinations, *subject to the laws and constitution of the Commonwealth*, pertaining to the Constitution of the good government of the Commonwealth based on previous judge-made or precedence determinations? Hardly. But (63 & 64 VICT. c. 12) is Statutory Constitutional (and hence) Civil Law of the Commonwealth.

(63 & 64 VICT. c. 12)

THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

## CHAPTER II

### THE EXECUTIVE GOVERNMENT

#### 61. *Executive power*

The executive power of the Commonwealth is vested in the Queen and is exercisable by the Governor-General as the Queen’s representative, and extends to the execution and maintenance of this Constitution, and of the laws of the Commonwealth.

## CHAPTER VII

### MISCELLANEOUS

#### 126. *Power to Her Majesty to authorise Governor-General to appoint deputies*

The Queen may authorise the Governor-General to appoint any person, or any persons jointly or severally, to be his deputy or deputies within any part of the Commonwealth, and in that capacity to exercise during the pleasure of the Governor-General such powers and functions of the Governor-General as he thinks fit to assign to such deputy or deputies, subject to any limitations expressed or directions given by the Queen; but the appointment of such deputy or deputies shall not affect the exercise by the Governor-General himself of any power or function.

(63 & 64 VICT. c. 12)  
THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

*44. Disqualification*

Any person who – ...

(ii) Is attainted of treason, or has been convicted and is under sentence, or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer ...

shall be incapable of being chosen or of sitting as a senator or a member of the House of Representatives.

An examination of the above reveals that *treason* is an offence in the Commonwealth; and that, any one who has committed this or “any offence punishable under the law of the Commonwealth” is not qualified to be chosen to hold a position for profit under the Crown in the Parliaments of the Commonwealth; and that, there must be such a thing as “*the law of the Commonwealth*”, which must be the instrument which pre-determines what the offence of treason is and what other offences are in order that they may be made known *as such* and made prosecutable *as offences* in the Commonwealth, unless we are expected to think that the courts of law are to deliberate on and determine what an offence consists of and what that offence is called and what is to be done about it each time it arises before the court.

So what is this *Law of the Commonwealth* which would be expected to pre-determine or pre-establish what constitutes an offence ? It is logically *not* the Law of the Commonwealth that *has not been made* as of the enactment of (63 & 64 VICT. c. 12). The police constable could not be expected to bury themselves in *case law* to determine in each and every instance whether a crime has been committed or whether a right has been exercised before they apply to the courts for a warrant which would be rejected on the grounds that a similar case had made a precedent of the “lawful commission of a criminal offence by a member of the Parliament”.

THE CRIMINAL CODE ACT OF 1899 (63 Vic. No.9) and Schedule I thereof is the Sovereign Law of the Commonwealth of Australia as of and from 28 November 1899 and 01 January 1901 (its date of commencement). The Sovereign Law of the Commonwealth is the Civil and Criminal Code enacted, established and declared by and in THE CRIMINAL CODE ACT OF 1899 and THE CRIMINAL CODE OF 1899. The Commonwealth of Australia is *not* a “common law jurisdiction” since FEDERATION (01 January 1901).

(63 & 64 VICT. c. 12)  
THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

[Assented to, Enacted, Commenced, Declared 9 July 1900]

*La Reyne le veult*

[Preamble]

WHEREAS the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland, and under the Constitution hereby established:

And whereas it is expedient to provide for the admission into the Commonwealth of other Australasian Colonies and possessions of the Queen:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

*3. Proclamation of Commonwealth*

It shall be lawful for the Queen, with the advice of the Privy Council, to declare by proclamation that, on and after a day therein appointed, not being later than one year after the passing of this Act, the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, and also, if Her Majesty is satisfied that the people of Western Australia have agreed thereto, of Western Australia, shall be united in a Federal Commonwealth under the name of the Commonwealth of Australia. But the Queen may, at any time after the proclamation, appoint a Governor-General for the Commonwealth.

The **Act to Constitute the Commonwealth of Australia** is not an Act of the British Parliament, as such, and provided for no British Parliamentary oversight *as of* its Enactment, *per se*. Any “constraints and restrictions” placed on the Parliamentary legislative powers of the States of the Commonwealth were added and came into effect *after* and *independent of* (63 & 64 VICT. c. 12). If the so-called “British Act” is The Westminster Act of 1932, the restrictions were back-dated to Federation (01 January 1901) from *after* 1945.

The *Proclamation of Commonwealth* pertains to the Declaration of Federation of the Indissoluble Unity of States which is established and constituted by THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900, and which is to occur not more than twelve months after 9 July 1900. The Enactment, Commencement and Declaration of (63 & 64 VICT. c. 12) is not the same as, and must not be confused with, Proclamation by Declaration of Federation (01 January 1901).



## REVOLUTION 1986

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### (63 & 64 VICT. c. 12) THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

#### *4. Commencement of Act.*

The Commonwealth shall be established [Federation, 1 January 1901], and the Constitution of the Commonwealth shall take effect, on and after the day so appointed [9 July 1900]. But the Parliaments of the several colonies may at any time after the passing of this Act [9 July 1900] make any such laws, to come into operation on the day so appointed [9 July 1900], as they might have made if the Constitution had taken effect at the passing of this Act [9 July 1900].

#### *5. Operation of the constitution and laws*

This Act, and all laws made by the Parliament of the Commonwealth under the Constitution, shall be binding on the courts, judges, and people of every State and of every part of the Commonwealth, notwithstanding anything in the laws of any State; and the laws of the Commonwealth [THE CRIMINAL CODE, 1899 (63 Vic. No.9), Schedule I] shall be in force on all British ships, the Queen's ships of war excepted, whose first port of clearance and whose port of destination are in the Commonwealth.

### CHAPTER V- THE STATES

#### *106. Saving of Constitutions.*

The Constitution of each State of the Commonwealth shall, subject to this Constitution, continue as at the establishment of the Commonwealth [1 January 1901], or as at the admission or establishment of the state, as the case may be, until altered in accordance with the Constitution of the State.

#### *107. Saving of Power of State Parliaments.*

Every power of the Parliament of a Colony which has become or becomes a State, shall, unless it is by this Constitution exclusively vested in the Parliament of the Commonwealth or withdrawn from the Parliament of the State, continue as at the establishment of the Commonwealth, or as at the admission or establishment of the State, as the case may be.

#### *108. Saving of State laws.*

Every law in force in a Colony which has become or becomes a State, and relating to any matter within the powers of the Parliament of the Commonwealth, shall, subject to this Constitution, continue in force in the State; and, until provision is made in that behalf by the Parliament of the Commonwealth, the Parliament of the State shall have such powers of alteration and of repeal in respect of any such law as the Parliament of the Colony had until the Colony became a State.

#### *109. Inconsistency of laws.*

When a law of a State is inconsistent with a law of the Commonwealth [63 Vic. No.9/63 & 64 VICT. c.12], the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

Enacted independently of THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 (63 & 64 VICT. c. 12), The Westminster Act of 1932 appears to have removed some of the relative Constitutional autonomy of the States of the Commonwealth by placing British Parliamentary restrictions and over-sight and ratification powers *onto* the Parliaments of the States of the Commonwealth.

The so-called "British Act" supposedly affected the Constitutional powers of the legislatures of the Parliaments of the Commonwealth in that it placed final decisions and approbation for State Legislative processes in the sphere of authority of the Reigning Monarch *and* Governors of the States *and* the Governor-General *and* the Parliament of the Commonwealth *and* the British Parliament; ergo, "British Act" is a Constitutional alteration of sorts, but none such was ever entered into the Constitution. Australia Act 1986 (ostensibly, or at least nominally) sought to repeal the effects of "British Act" *and* the powers of the British Parliament over the legislative bodies of the States of the Commonwealth.

#### **Australia Act 1986**

##### **1. Termination of power of Parliament of United Kingdom to legislate for Australia**

No Act of the Parliament of the United Kingdom passed after the commencement of this Act shall extend, or be deemed to extend, to the Commonwealth, to a State or to a Territory as part of the law of the Commonwealth, of the State or of the Territory.

#### **Australia Act 1986**

##### **10. Termination of responsibility of United Kingdom Government in relation to State matters**

After the commencement of this Act Her Majesty's Government in the United Kingdom shall have no responsibility for the government of any State.

The 1900 Constitutional situation was that the Legislatures of the colonies-States subject were subject to pre-enacted Victorian-Imperial conditions and the Monarch was enabled to assent legislation or laws for the colony *with the colony's consent*, hence the wording of

#### **THE CONSTITUTION ACT OF 1867**

##### *The Legislature.*

2. Within the said Colony of Queensland Her Majesty shall have power by and with the consent of the said Council and Assembly to make laws for the peace, welfare and good government of the colony in all cases whatsoever



(63 & 64 VICT. c. 12)  
THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

CHAPTER II  
THE EXECUTIVE GOVERNMENT

*61. Executive power*

The executive power of the Commonwealth is vested in the Queen and is exercisable by the Governor-General as the Queen's representative, and extends to the execution and maintenance of this Constitution, and of the laws of the Commonwealth.

The *executive power* of the Monarch in the Act of 1867 is retained in the Act of 1900 and is undiminished. The difference is in the fact that the Governor-General, should the Monarch deign to appoint one, is to exercise that executive power, subject to the will of the Monarch, subject to the Laws and Constitution, and subject to the discretion of the Governor-General. The *discretion* of the Governor-General is not an arbitrary option: he is the Monarch's Executive Representative in the dominion and serves at the *Monarch's pleasure*, which is to say, the Governor-General's *discretion* is not any arbitrary power but an obligation and a duty to serve the Monarch in the best interests of the Monarch and Their dominion as the most loyal subject of the Crown *and* subject to the legitimate laws and under the Lawful Constitution of the Commonwealth.

The point that has been interestedly and conveniently missed since Federation is that the members and senators do not have an executive position in the Parliaments of the Commonwealth and its States beyond their legislative duties and their political rights to learn and know the truth and to vote this way or that in the service of the Crown (Monarch, Laws, Constitution) but only for *the peace, order, and good government of the Commonwealth*. The members and senators are not authorised to *excercise* arbitrary, ideological, interested discretion, or *to act as executives of anything at all*. The members and senators (as dependants of the Crown) are not in positions for profit under the Crown to serve themselves, their vested party-political or ideological interests, or their foreign interests and concerns.

**Australia Act 1986**

An Act to bring constitutional arrangements affecting the Commonwealth and the States into conformity with the status of the Commonwealth of Australia as a sovereign, independent and federal nation.

Firstly, and in passing, there does not appear to be any *declaration of independence* associated with or in or even vaguely pertaining to (63 & 64 VICT. c. 12) or any Acts prior to 1986, and such is not even to be found in Australia Act 1986. The deluded or mercenary notion of “independence” is touted (in the year 2019) as though it were accomplished, as though it had been accomplished by the enactment of (63 & 64 VICT. c. 12) !

Dubious official-looking sources appear to consistently claim (by 2018) that the Commonwealth attains “*independence*” with the enactment of THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900(; there are other of such sources which. Constitutionally, (from before and after 1900) and according to *LAW*, Australasian territories-colonies are possessions of the Crown: they are *British property*, as are all of the dominions of the Crown of Great Britain *possessions thereof*.

(31 Vic. No. 6.)  
THE ACTS SHORTENING ACT OF 1867

*9. No private Act to affect property of Crown or individuals not named. -*

Whenever any Act shall be passed in the nature of a private Act and whereby the property of any individual may be affected nothing therein contained shall be deemed to affect the rights of Her Majesty, Her Heirs and Successors or of any bodies politic or corporate or of any person excepting those at whose instance or for whose especial benefit such Act may have been passed and those claiming by through or under them but all such rights shall be deemed to be saved in any such Act in the same manner as if a proviso for that purpose had been expressly contained therein and enacted thereby.

*12. Interpretation of other terms in Acts. -*

In the construction of any Act unless the contrary appear from the context:...

**Property.** - the word "**property**" shall be understood to include goods, chattels, money, valuable securities and every other matter or thing whether real or personal upon or with respect to which any offence may be committed ...

(52 & 53 VICT. c. 63)  
THE INTERPRETATION ACT OF 1889

*New General rules of construction*

*18. Geographical and colonial definitions in future Acts*

In this Act, and in every Act passed after the commencement of this Act, the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely:-

(2.) The expression "**British possession**" shall mean any of Her Majesty's dominions exclusive of the United Kingdom, and where parts of such dominions are under both a central and a local legislature, all parts under the central legislature shall, for the purposes of this definition, be deemed to be one British possession.

(No. 2 of 1901)  
ACTS INTERPRETATION

WORDS AND REFERENCES IN ACTS

*18. Definitions*  
(52 & 53 Vict. c. 63 s. 18)

In any Act, unless the contrary intention appears -

(a) "**The United Kingdom**" shall mean the United Kingdom of Great Britain and Ireland;

(b) "**British possession**" shall mean any part of the King's dominions exclusive of the United Kingdom, and where parts of such dominions are under both a central and a local Legislature all parts under the central Legislature shall for the purposes of this definition be deemed to be one British possession.

**Australia Act 1986**

An Act to bring constitutional arrangements affecting the Commonwealth and the States into conformity with the status of the Commonwealth of Australia as a sovereign, independent and federal nation.

The word “nation” (in “No.2 of 1986”) appears to be a nationalist projection or (just more) drunken interpolatory *kant*. Constitutionally, THE COMMONWEALTH OF AUSTRALIA is, the “Federation of the Indissoluble Unity of States under the Crown of the United Kingdom and the Laws and Constitution of the Commonwealth of Australia”(sic.), which does *not* legitimately translate as “*nation [of conveniently literate criminals]*”, at all.

The Sovereignty of the Commonwealth is conditionally dependent upon the Crown (the reigning Monarch) and the Continuance of the Crown (the Legitimate Extension of Monarchic Succession). The Sovereignty or the Sovereign Rule of Law of the Commonwealth is Statutorily conferred by THE CRIMINAL CODE [ACT] OF 1899 (63 Vic.No.9) and is parliamentarily Constituted *by* and *as in* and *according to* THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 (63 & 64 VICT. c. 12): the Commonwealth is *subject to* its *Crown*; “*independence*” is a *revolutionary* or *republican sleight of hand*.

(63 & 64 VICT. c. 12) *statutorily constitutes* the *competent* and *lawful* form of Parliaments of the Commonwealth and is *law* to that extent. The Act is not enacted and is not in place to enable its own demise or to be supportive of criminal activity *against its own lawfulness*, the Constitution of the Commonwealth or the interests of the Crown (which are also the interests of the subjects of the Crown).

## REVOLUTION 1986

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### CRIMES ACT 1914

An Act relating to Offences against the Commonwealth

#### *Part II-Offences against the Government*

##### *24AA Treachery*

(1) A person shall not:

(a) do any act or thing with intent:

(i) to overthrow [or undermine] the Constitution of the Commonwealth by revolution or sabotage; or

(ii) to overthrow by force or violence [or fraud] the established government of the Commonwealth, of a State or of a proclaimed country;...

(3) A person who contravenes a provision of this section commits an indictable offence, called treachery.

Penalty: Imprisonment for life.

The crime of treason in its statutory form, as enacted in **THE CRIMINAL CODE OF 1899** is a complex and well developed matter (not presented exclusively in s. 37), deriving from and repealing and refining Statutes of the Realm into comprehensive protections of and for the Crown (Monarch, Monarchy, Laws, Legitimate Delegated and Crown Appointed Authority and legitimate form of Parliament) of the Australian *territories*. Isolating the statute relevant to the notion of “revolution” is not difficult. The whole of the following applies and/or has application to the correct understanding of the crime of revolution, but particularly (*without* examining the metaphorical applications of the statute) ss. 3, 5, 5(a), 5(b), 6, 7, 8, -

(63 Vic. No.9)  
THE CRIMINAL CODE OF 1899

PART II-OFFENCES AGAINST PUBLIC ORDER

CHAPTER VI-TREASON AND OTHER OFFENCES AGAINST  
THE SOVEREIGN'S PERSON AND AUTHORITY

*37. Treason*

Any person who –

(1) Kills the Sovereign, or does Her any bodily harm tending to Her death, or maim[ing] or wounding, or imprisonment or restraint; or

(2) Kills the eldest son and heir-apparent for the time being of the Sovereign, or the Queen Consort of the reigning King; or

(4) Conspires with any other person to kill the Sovereign or to do Her any bodily harm tending to Her death, or maim[ing] or wounding, or imprisonment or restraint; or

(5) Levies war against the Sovereign –

(a) With intent to depose the Sovereign from the style, honour, and royal name, of the Imperial Crown of the United Kingdom of Great Britain and Ireland, or of any other of Her Majesty's dominions; or

(b) In order by force or constraint [or fraud] to compel the Sovereign to change Her measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe, any House of Parliament of any of Her Majesty's dominions; or

(6) Conspires with any other person to levy war against the Sovereign with any such intent or purpose at last aforesaid; or

(7) Instigates any foreigner to make an armed invasion of any part of Her Majesty's dominions; or

(8) Assists by any means whatever any public enemy at war with the Sovereign; or

(9) Violates, whether with her consent or not, a Queen Consort, or the wife of the eldest son and heir-apparent for the time being of the Sovereign;

(3) Forms an intention to do any such act as aforesaid, and manifests such intention by any overt act...

is guilty of a crime, which is called treason, and is liable to imprisonment with hard labour for life, which cannot be mitigated or varied under section nineteen of this Code.

*38. Concealment of Treason*

Any person who –

(1) Becomes an accessory after the fact to treason; or

(2) Knowing that any person intends to commit treason, does not give information thereof with all reasonable despatch to a justice or use other reasonable endeavours to prevent the commission of the crime;

is guilty of a crime, and is liable to imprisonment with hard labour for life.

The criminal sense of *revolution* that can be extracted from 37. *Treason* is (and as is implicated by numerous other statutes which the *conspiracy to* or the *attempt to* or *overt act to*, or the *covert or overt omission to perform a duty resulting in* and/or *having the effect of*

deposing the Sovereign and Sovereignty or Monarchy from Their Lawful Powers and Rights and Entitlements; and/or

reducing or diminishing to any extent the Sovereign's and Sovereignty's Lawful Powers and Rights and Entitlements; and/or

deceiving the Sovereign or Sovereignty and/or Their Agents and Executives as to the exact truth of any matter whatsoever, whether by signal or by silence or otherwise; and/or

altering by deception or infiltration or corruption the councils and measures, and thus affecting the determinations, of the Sovereign, the Sovereignty, Their Agents and Executives, the Legitimate Offices and Legitimate Officers of the Legitimate Civil and Public Service, the Legitimate Parliaments and Legitimate Courts; and/or

interfering with, interestedly manipulating and unlawfully altering the constitution of the legislatures, and/or the Legitimate Laws and Constitution of the Commonwealth and/or its States; and/or

waging war, whether declared or not, whether conventional (religiously, party-politically, economically, ideologically ...) or not against the Sovereign and the Sovereignty and the Constitutionally legitimate *good governance* of the Commonwealth and against its Persons and their statutory rights and entitlements; and/or

by passively or actively assisting any public enemy in any way to facilitate the execution of their crimes against the Crown (the Monarch, the Monarchy, the Laws, the Constitution, the Established (or *As Constituted in* and *by* (63 Vic. No.9) & (63 & 64 VICT. c.12) Parliamentary form, and/or the Legitimate Authority of the Constitutionally recognised *good government* of the Commonwealth and its States)...

*REVOLUTION*, or what we have necessarily termed *UNLAWFUL CHANGE* (and deriving from THE CRIMINAL CODE OF 1899, s. 54A. *Innocent Intentions*), does not merely or simply or simplistically *consist in* or *consist of* violent upheaval or the insipid smashing of monuments (as it has recently been defined by some revolutionary operative). *REVOLUTION* or *UNLAWFUL CHANGE* can be apparently bloodless, covert and disseminatingly corruptive and can consist of a quasi-authoritative and promulgative *false-normalcy*.

**Australia Act 1986**

WHEREAS the Prime Minister of the Commonwealth and the Premiers of the States at conferences held in Canberra on 24 and 25 June 1982 and 21 June 1984 agreed on the taking of certain measures to bring constitutional arrangements affecting the Commonwealth and the States into conformity with the status of the Commonwealth of Australia as a sovereign, independent and federal nation.

Australia Act 1986 was the result of *conferences between the not Constitutionally recognised* (nominal) head of State of the Commonwealth ("prime minister") and the *not Constitutionally recognised* (nominal) heads of governments of the States of the Commonwealth ("premiers"). There is no "prime minister" or "premier" defined, authorised, named, mentioned or even referred to in THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900: these terms are nothing other than mere criminal republicanisms that are passed off as legitimated by unlawful and treacherous conventions.

Constitutionally, the Reigning Monarch (or Crown) is the Possessor of the Legislatures (Parliaments) of the Commonwealth and of its States and Territories and the Royal Assent to the Laws passed by the Legislatures lays with Them or at the *competent and loyal discretion* of Their Executive Representatives in the Parliaments of the State of the Commonwealth and its States (Governor-General, Governor In Council, Governor).

The Governor-General is the Monarch's *optional* Executive Representative in the Commonwealth, with Governors being the Monarch's Executive Representatives in the States. The Governor-General and the Governors are nominal executives, but not necessary, as the Constitution stipulates, they can be replaced by any other form of Agent or Agency that the *Monarch* so desires (but also subject to the Laws and Constitution of the Commonwealth).

The Governor-General and the Governors are (Constitutionally) *to be Appointed by the Monarch* and *are to Serve the Crown at the Pleasure of the Monarch* in such matters as the Monarch (who is also subject to the Laws and Constitution of the Commonwealth) requires and sees fit, and in such matters as the Constitution (63 Vic. No. 9 and 63 & 64 VICT. c. 12) *Demands* of them. For example, maintaining the Constitution and Laws and exercising the Laws are Constitutional Responsibilities and Duties of the Governor-General, Governor In Council, Governor and their failure or omission or contrary action (to not so maintain and exercise the Laws of the Commonwealth in the execution of their Constitutional duties and responsibilities) is a punishable offence. For example -



## REVOLUTION 1986

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### (63 Vic. No.9) THE CRIMINAL CODE, 1899

#### PART II-OFFENCES AGAINST PUBLIC ORDER

#### CHAPTER VI-TREASON AND OTHER OFFENCES AGAINST THE SOVEREIGN'S PERSON AND AUTHORITY

##### *37. Treason*

Any person who –

(1) Kills the Sovereign, or does Her any bodily harm tending to Her death, or maim[ing] or wounding, or imprisonment or restraint;

##### *38. Concealment of Treason*

Any person who –

(1) Becomes an accessory after the fact to treason; or

(2) Knowing that any person intends to commit treason, does not give information thereof with all reasonable despatch to a justice or use other reasonable endeavours to prevent the commission of the crime;

is guilty of a crime, and is liable to imprisonment with hard labour for life.

#### PART IV-ACTS INJURIOUS TO THE PUBLIC IN GENERAL

#### CHAPTER XXIII-NUISANCES: MISCONDUCT RELATING TO CORPSES

##### *230. Common nuisances*

Any person who –

(1) Without lawful justification or excuse, the proof of which lies on him, does any act, or omits to do any act with respect to any property under his control, by which act or omission danger is caused to the lives, safety, or health, of the public; or

(2) Without lawful justification or excuse, the proof of which lies on him, does any act, or omits to do any act with respect to any property under his control, by which act or omission danger is caused to the property or comfort of the public, or the public are obstructed in the exercise or enjoyment of any right common to all Her Majesty's subjects, and by which injury is caused to the person of some person;

is guilty of a misdemeanour, and is liable to imprisonment for two years.

#### PART V-OFFENCES AGAINST THE PERSON AND RELATING TO MARRIAGE AND PARENTAL RIGHTS AND DUTIES AND AGAINST THE REPUTATION OF INDIVIDUALS

#### CHAPTER XXVII -DUTIES RELATING TO THE PRESERVATION OF HUMAN LIFE

##### *290. Duty to do certain acts*

When a person undertakes to do any act the omission to do which is or may be dangerous to human life or health, it is his duty to do that act: and he is held to have caused any consequences which result to the life or health of any person by reason of any omission to perform that duty.

#### PART VIII-PROCEDURE

#### CHAPTER LXV A-COMPENSATION FOR INJURY

Heading inserted by Act of 1968, No. 44, s. 4 (as from 1 January 1969)

##### *663A. Interpretation*

In this Chapter, unless the context otherwise indicates or requires the following terms shall have the meanings respectively assigned to them, that is to say: –

“injury” – bodily harm and includes pregnancy, mental shock and nervous shock...

Correctly interpreting matters, The Monarch is individual and multiple, spiritual and temporal, mortal and immortal (in the perpetuity of the Monarchy). The Monarch is the Crown, the possessions of the Crown (goods, chattels, lands, territories, colonies, States and the competent, constituted legislatures thereof), the Laws and Constitutions (established by Their Monarchic Predecessors) of the dominions which they *possess*. The loyal subjects of the Crown are also an aspect of the Crown and they are protected by and have a duty to protect the Crown. Damage or injury to any aspect of the Crown is effectively a treason offence (see for example **THE CRIMINAL CODE, 1899, 54A. Demands with menaces upon agencies of government**).

That said, we can now construct an example where interested, gratuitous and malicious destruction of a site of untold Cultural and Historical and Archeological and Scientific importance and Public Concern which is *protected by* the Acts of Her Majesty Queen Elizabeth II - **THE ABORIGINAL RELICS PRESERVATION ACT 1967-1976**, and **THE CRIMINAL CODE AND BAIL ACT AMENDMENT ACT OF 1984, No. 32, s. 3**, and by the Commonwealth being signatory to various UNESCO **Conventions** governing the “safeguarding of humanity's shared heritage”.

As it is the duty and responsibility of a Queen's Minister of State (the Official responsibility of a competent Minister of the Crown is *advisory to* the Governors and is *administrative of* the Government Department of the Public Service of which they are Head and it is *not executive* beyond that) to advise the Governor-General, the Governor In Council, the Governor on matters detrimentally affecting the well-being and security of any of the possessions of the Crown, a duty of Office was not accomplished and the site of untold Cultural significance and interest was destroyed.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART III-OFFENCES AGAINST  
THE ADMINISTRATION OF LAW AND JUSTICE AND AGAINST PUBLIC AUTHORITY**

**CHAPTER XIII-CORRUPTION AND ABUSE OF OFFICE**

**92. Abuse of office**

Any person who, being employed in the Public Service, does or directs to be done, in abuse of the authority of his office, any arbitrary act prejudicial to the rights of another is guilty of a misdemeanour, and is liable to imprisonment for two years.

If the act is done or directed to be done for purposes of gain, he is liable to imprisonment with hard labour for three years.

In *ordinary circumstances*, **92. Abuse of office** would mean the immediate disqualification of that member from the Parliament according to

(63 & 64 VICT. c. 12)  
COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT

CHAPTER I  
THE PARLIAMENT  
PART IV – BOTH HOUSES OF THE PARLIAMENT

*44. Disqualification*

Any person who –

(ii) Is *attainted of treason*, or has been convicted and is under sentence, or *subject to be sentenced, for any offence punishable under the law of the Commonwealth* or of a State by imprisonment for one year or longer ...

But this offence involves the destruction of Crown Protected Property and as such it is a treason offence known as *Detriment to the Crown* (willfully damaging or destroying any thing protected by an Act) and for which crime “the offender is liable to imprisonment with hard labour for life, which cannot be mitigated or varied” [short of Her Majesty’s Prerogative for Mercy being granted by Her].

A Statutory and Constitutional Responsibility and Duty of the various Governors is the “*execution and maintenance of this Constitution [63 & 64 VICT. c. 12], and of the laws of the Commonwealth [63 Vic. No. 9]*” – we would venture to add that this responsibility would extend to ensuring that any proposed Enactments of the Legislatures of the Commonwealth and the States, and any actions of their appointments (“Ministers”), were in full and lawful conformity to and with all and any relevant Victorian Statutes, THE CRIMINAL CODE [ACT] OF 1899 AND THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 AND in full and lawful conformity to and with the *legitimate* and competent legislation of the Commonwealth and States subsequent to the Commencement of THE CRIMINAL CODE OF 1899 (63 Vic. No. 9) – 01 January 1901, and THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 (63 & 64 VICT. c. 12) – 9 July 1900. The Monarch’s Executive Constitutional Powers include Final Assent and/or Disallowance of Acts submitted by the Parliaments of the Commonwealth; therefore, any proposed “law” which is in the slightest sense *questionable* or *ambiguous* is to be *reserved* for the appropriate deliberations of the appropriately concerned and informed Crown or Monarch.

CHAPTER VII  
MISCELLANEOUS

*126. Power to Her Majesty to authorise Governor-General to appoint deputies*

The Queen may authorise the Governor-General to appoint any person, or any persons jointly or severally, to be his deputy or deputies within any part of the Commonwealth, and in that capacity to exercise during the pleasure of the Governor-General such powers and functions of the Governor-General as he thinks fit to assign to such deputy or deputies, subject to any limitations expressed or directions given by the Queen; but the appointment of such deputy or deputies shall not affect the exercise by the Governor-General himself of any power or function.

As Enacted and Constituted in and as the Constitution of the Commonwealth – **THE CRIMINAL CODE [ACT] OF 1899 (63 Vic. No.9)** and **THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 (63 & 64 VICT. c.12)** – all agencies and authorities of States and Territories and their Governments and Judiciaries and organs of Law Enforcement, and other Public Services and Corporations and Persons and their Activities (within the Commonwealth and in Foreign Realms) must at all times be in *Allegiance, Obedience and Adherence to and in full Conformity with* **THE CONSTITUTION OF THE COMMONWEALTH** – otherwise, in transgression thereof, according to the Statutes of **THE CRIMINAL CODE [ACT], 1899 (63 Vic. No.9)**, such actions and/or omissions of such persons are in breach of such laws and *are thus unlawful*.

*An unlawful action is not a lawful action*: one *cannot* say (as those in the Parliaments of the Commonwealth do) that an “action or an omission resulting in injury or damage is permissible because it is not unlawful”:

if the action/omission is unlawful; and

if the effect and/or consequence of the action/omission is the same as that which follows from the commission of a crime.

A negligent action or omission to perform an official and/or statutory duty, which results in injury or damage, is also a prosecutable offence.

One is either a Loyal Subject of the Crown *entitled to the rights or privileges of a subject or a citizen of the Commonwealth* or one is a Foreigner or a criminal who is *not entitled to the rights or privileges of a subject of the Crown of the Commonwealth*; but as a foreigner, one is still *subject to* the Laws of the Commonwealth and one is still afforded the same rights, and as a criminal one is still afforded what amounts to *humane treatment* according to civil and criminal law.

As the Laws of the Constitution of the Commonwealth are not exhaustive (the Commonwealth is not constituted as an arbitrary authoritarian dictatorship), and as rules of statutes and rules of courts and the limits of powers of courts and the Legislature and the Rights of Persons of the Commonwealth are *given in and by* (63 Vic.No.9), laws subsequent to the principle Constitutional Acts must be in conformity thereto. Laws of the Commonwealth and laws of the States of the Commonwealth which are inconsistent with and/or are in breach of the statutes of the Principle Constitutional Acts (63 Vic.No.9) & (63 & 64 VICT.c.12) are to be *invalid* –

(63 & 64 VICT. c. 12)  
THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

*109. Inconsistency of laws*

When a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

A note to the 1949 publication of THE CRIMINAL CODE ACT, 1899 (63 Vic. No.9), in Criminal Law, Volume II, p. 661, reads – “*By-laws which are in conflict with provisions of The Criminal Code are invalid.* See *Burrowes v. Balderston* (1934), 28 Q.J.P.R. 79.”, indicates the extent to which *by-laws* which are inconsistent with and/or are in breach of the statutes of the Principle Constitutional Act, THE CRIMINAL CODE [ACT] OF 1899 (63 Vic. No.9), and by extension and implication, *by-laws* which are inconsistent with and/or are in breach of the statutes of THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 (63 & 64 VICT. c. 12) – *are to be invalid and of no effect*. This rule must also apply to the “rules” that those in the Parliaments construct to protect themselves against over-sight and disqualification and punishment – *they are all invalid !* This *invalisation* also applies to the “abolitions” and “*intimidation laws*” that have been falsely rammed through the parliaments since 2012.

The Constitutional limitation on the Monarch’s *disallowance of laws* does not mean that laws which are inconsistent with and/or in breach of Commonwealth Constitutional Law [(63 Vic. No.9) & (63 & 64 VICT. c. 12)] are not invalidated because they have some how been snuck through or their defects have gone undetected – to propose that invalid laws are not invalidated because a period of one year has passed would be preposterous: any such interested and convenient assertion would be to seek to obviate the Laws and Constitution. It would be as though to say that “if a crime is not detected, the crime has not been committed”. This is exactly the convenience sophistry that these criminal revolutionaries excuse themselves with.

(63 & 64 VICT. c. 12)  
THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

*59. Disallowance by the Queen*

The Queen may disallow any law within one year from the Governor-General's assent, and such disallowance on being made known by the Governor-General by speech or message to each of the Houses of the Parliament, or by Proclamation, shall annul the law from the day when the disallowance is so made known.

And as the Laws of the Constitution of the Commonwealth – (63 Vic. No.9) & (63 & 64 VICT. c. 12) – are Constitutional Laws, the only Lawful way to alter them is by means of the statutory means of altering any aspect of the Constitution – and which must be done in strict conformity to and with the provisions of the Statute (128. *Mode of Altering the Constitution*) and only in conformity to and with the terms of the Constitution (63 Vic. No.9) & (63 & 64 VICT. c. 12), lest such alterations which do not accord with the Statute Laws of the Commonwealth *BE INVALID*. In regard to altering aspects of the Civil and Criminal and Constitutional Law for the most part, the persons of the Commonwealth who's lives will be affected by such laws are barely even informed as to the changes, let alone consulted on whether they are required to be altered. Party-political mandates and incitements to revolution and sabotage *cannot be regarded as lawful*.

(63 & 64 VICT. c. 12)  
THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

CHAPTER VIII-ALTERATION OF THE CONSTITUTION

*128. Mode of altering the Constitution*

*This Constitution shall not be altered except in the following manner:—*

The proposed law for the alteration thereof must be passed by an absolute majority of each House of the Parliament, and not less than two nor more than six months after its passage through both Houses the proposed law shall be submitted in each State to the electors qualified to vote for the election of members of the House of Representatives.

But if either House passes any such proposed law by an absolute majority, and the other House rejects or fails to pass it, or passes it with any amendment to which the first-mentioned House will not agree, and if after an interval of three months the first-mentioned House in the same or the next session again passes the proposed law by an absolute majority with or without any amendment which has been made or agreed to by the other House, and such other House rejects or fails to pass it or passes it with any amendment to which the first-mentioned House will not agree, the Governor-General may submit the proposed law as last proposed by the first-mentioned House, and either with or without any amendments subsequently agreed to by both Houses, to the electors in each State qualified to vote for the election of the House of Representatives.

When a proposed law is submitted to the electors the vote shall be taken in such manner as the Parliament prescribes. But until the qualification of electors of members of the House of Representatives becomes uniform throughout the Commonwealth, only one-half the electors voting for and against the proposed law shall be counted in any State in which adult suffrage prevails.

And if in a majority of the States a majority of the electors voting approve the proposed law, and if a majority of all the electors voting also approve the proposed law, it shall be presented to the Governor-General for the Queen's assent.

No alteration diminishing the proportionate representation of any State in either House of the Parliament, or the minimum number of representatives of a State in the House of Representatives, or increasing, diminishing, or otherwise altering the limits of the State, or in any manner affecting the provisions of the Constitution in relation thereto, shall become law unless the majority of the electors voting in that State approve the proposed law.



All and any changes made to the Constitutional Laws and the Constitution of the Commonwealth *must be submitted to this lawful process of Constitutional Alteration. That* these nominalisms or *nominal conveniences of convention* of “prime minister” and “premier” have never been submitted to the lawful Statutory process of legitimate Parliamentary enactment or Constitutional Alteration and have never been submitted to any lawful referendum *they are invalid and without Constitutional Authority*: mere convention which is not legitimately Constitutionally recognised is invalid. *Convention* is only tolerable where it does not become unlawful and unconstitutional.

We also submit that changes which affect the Constitution *in actuality*, but which are not submitted to the lawful process for Alteration and do not attain formal textual Constitutional Amendment are invalid and unlawful – “*revolution by sleight of hand*” (by subversive under-mining and professional obfuscation) is no more lawful than revolution by means of the overthrowing of Legitimate Government by force or violence or fraud.



As we have already demonstrated elsewhere, the Monarch and the Monarch's Heirs' and Successors' role as possessors of the Australasian territories and Their other dominions are *lawful* and *in-assailable* and *in-violable*, and the same can be said for the *Constituted* form of Governance of the Commonwealth and its States and Territories: *there are no lawful means by which to change or alter or limit or dispense with* the Monarch or Their Successors as Sovereign, just as there are *no lawful means by which or with which to change or alter or limit or dispense with* the Legitimate Constituted form of Government in the Commonwealth: *any attempt to do so is treason in the terms of* THE CRIMINAL CODE ACT OF 1899 Treason Statutes, *and* in the terms the Scheduled Oath of Allegiance, and the Disqualification Statutes of COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT: *no one may sit and/or vote* in the Parliaments of the Commonwealth or its States unless they solemnly and sincerely and bindingly Swear in Affirmation of Allegiance *to allegiance, obedience and adherence* to that Monarch and that Monarchy and to those Laws (63 Vic. No.9) and that Constitution of the Commonwealth and its States and Territories (63 & 64 VICT.c.12).

(63 & 64 VICT. c. 12) (THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900) cannot be seen as separable from (63 Vic. No.9) (THE CRIMINAL CODE [ACT] OF 1899), but this is how it is presented (or *not even presented* as the Law of Commonwealth) to the persons of the Commonwealth, and no mention is ever made (apparently since 1984) of (63 Vic.No.9), which is not simply *The Criminal Code* or some *Penal Code* as it *constitutes* and *contains* and *pertains to* and *governs* the Foundation of all Lawful activities in the Commonwealth AND it is the Act which *makes* (63 & 64 VICT. c.12) *Lawful*. All of which is confirmed by, and not negated by and was not repealed by, Australia Act 1986, both in its own terms and by the fact that *that Act* claims that [the Commonwealth of] Australia is *Sovereign*.

**Australia Act 1986**

An Act to bring constitutional arrangements affecting the Commonwealth and the States into conformity with the status of the Commonwealth of Australia as a sovereign, independent and federal nation.

This may seem an obscure thing to say, as no one has *said* that **THE CRIMINAL CODE [ACT] OF 1899** was *repealed by Australia Act 1986*, but it is necessary to account for why **THE CRIMINAL CODE [ACT] OF 1899** is so little, if at all, acknowledged or recognised in the Commonwealth.

In eliminating **Australia Act 1986** as the instrument responsible for the disappearance of **THE CRIMINAL CODE [ACT] OF 1899** from the minds and considerations of so many “prominent[ly interested] Australians”(sic.) and as **THE CRIMINAL CODE ACT OF 1899** is the Act which *Sovereignitises* the Commonwealth, **Australia Act 1986** (perhaps by another accident of convenient illiteracy) *re-affirms* that the Commonwealth of Australia is Sovereign, or has its own Sovereign Rule of Law which cannot be other than **CRIMINAL CODE ACT OF 1899 AND THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900**. *Sovereignty is not conferred by the latter Act*, as is proclaimed by so many official-looking sources.

Our thinking is such that, had **Australia Act 1986** managed by some means to “abolish” **CRIMINAL CODE [ACT] OF 1899**, it would not be possible to refer to the *Sovereignty* of the Commonwealth of Australia, but as it does refer to it, **Australia Act 1986** cannot have been the agency of the disappearance of **CRIMINAL CODE [ACT] OF 1899** - despite the various dubious and untoward and unlawful and unconstitutional sleights of hand that **Australia Act 1986**, by and in its own terms, appears to have perpetrated. Which is not to say or to suggest that **Australia Act 1986** was not *instrumental to* the disappearance of **THE CRIMINAL CODE [ACT] OF 1899**.

In a nut-shell, **Australia Act 1986** is the contrivance of a number of “individuals” (Constitutionally unrecognised and thus illegitimate and unlawful “heads of State”) who sought to repeal the *restrictive* caveats of The Act of Westminster of 1932.

The matter of the constitution of the governments of the Commonwealth of Australia is Enacted as follows and *not otherwise* -

(52 & 53 VICT. c. 63)  
INTERPRETATION ACT OF 1889

*New General rules of construction*

*18. Geographical and colonial definitions in future Acts*

In this Act, and in every Act passed after the commencement of this Act, the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely:-

(2.) The expression "**British possession**" shall mean any of Her Majesty's dominions exclusive of the United Kingdom, and where parts of such dominions are under both a central and a local legislature, all parts under the central legislature shall, for the purposes of this definition, be deemed to be one British possession.

(3.) The expression "**colony**" shall mean any part of Her Majesty's dominions, exclusive of the British Islands, and of British India, and where such parts are under both a central and a local legislature, all parts under the central legislature shall, for the purposes of this definition, be deemed to be one colony.

(6.) The expression "**Governor**" shall, as respects Canada and India, mean the Governor-General, and include any person who for the time being has the powers of the Governor-General, and as respects any other British possession, shall include the officer for the time being administering the government of that possession.

(7.) The expression "**colonial legislature**" and the expression "**legislature**," when used with reference to a British possession, shall respectively mean the authority, other than the Imperial Parliament of Her Majesty the Queen in Council, competent to make laws for a British possession.

THE CRIMINAL CODE [ACT] OF 1899 (63 Vic. No.9) is Declared and Enacted and Established 28 NOVEMBER 1899; THE CRIMINAL CODE OF 1899 (63 Vic. No.9) is to Commence 1 JANUARY 1901. THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 (63 & 64 VICT. c. 12) is Enacted 9 JULY 1900 - *LA REYNE LE VEULT !* - 9 JULY, 1900, *the CONSTITUTION OF THE COMMONWEALTH OF AUSTRAL[AS]IA is Established*. The Declaration by Proclamation of the Federation takes place on 1 January 1901.

The *instrument* employed by the evidently illiterate *architects* of **Australia Act 1986** to (nominally) repeal *British Act* is quite *interesting* from several points of view .

### **Australia Act 1986**

AND WHEREAS in pursuance of paragraph 51 (xxxviii) of the Constitution the Parliaments of all the States have requested the Parliament of the Commonwealth to enact an Act in the terms of this Act ...

(63 & 64 VICT. c. 12)  
**THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900**  
**PART V-POWERS OF THE PARLIAMENT**

*51. Legislative powers of the Parliament*

The Parliament shall, **subject to this Constitution** [63 & 64 VICT.], have power to make laws for the peace, order, and good government of the Commonwealth with respect to:- ...

(xxxviii) The exercise within the Commonwealth, at the request or with the concurrence of the Parliaments of all the States directly concerned, of any power which can at the establishment of this Constitution be exercised only by the Parliament of the United Kingdom or by the Federal Council of Australasia ...

The *instrument of repeal* [51. (xxxviii)], so far, appears to correspond and to be be more or less *lawful looking* because the numerals appear to correspond and the purport of the text of Australia Act 1986 appears to match the text of THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 (63 & 64 VICT. c.12).

Now, as we have established and reiterated throughout, the Establishment of the *Constitution* of the Commonwealth commences on and from **9 July 1900** with its Enactment and Declaration, which is *not the same as* the future date of the Proclamation of Federation, which is to be no more than twelve months after the Establishment, Enactment and Declaration of THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 (63 & 64 VICT. c.12) and which eventuates on 1 January 1901. Be that as it may, an attentive or literate or actual reading of the Constitutional (63 & 64 VICT. c.12) text reveals some *disconcerting* details -

(63 & 64 VICT. c. 12)  
**THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900**

*7. Repeal of Federal Council Act (48 & 49 Vict. c. 60)*

The Federal Council of Australasia Act, 1885, is hereby repealed [9 July 1900], but so as not to affect any laws passed by the Federal Council of Australasia and in force at the establishment of the Commonwealth.

Any such law may be repealed as to any State by the Parliament of the Commonwealth, or as to any colony not being a State by the Parliament thereof.

This (above) states specifically that the *Federal Council of Australasia Act of 1885* is repealed *as of* and *from* 9 July 1900. The so called “British Act” or The Westminster Act of 1932 was Enacted thirty-two years *subsequent-to and not concurrent-with and not prior to* the enactment of THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 which was *Established, Enacted and Declared 9 July 1900*. Keeping in mind that THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT is not an Act of the British Parliament, but an Act – *La Reyne le veult* – of Her Majesty Queen and Empress Victoria and a bunch of un-qualified and interested amateurs– and over which, at the Establishment, Enactment and *Declaration of the Constitution (on, as of and from 9 July 1900)* the British Parliament had no control, hence the later, back-and-forward dated Westminster Act of 1932 addition of the caveats of the British Parliament. Note that the Reigning Monarch and not the British Parliament, is the Possessor of the Australian Territories and Colonies, and the Chief Executive Power in the Commonwealth.

Now, an Act has dependencies, an Act enables and/or empowers certain executive or statutory dependents, for example – a *Fund*, a *Department*, an *Office*, a *Tribunal*, a *Commission*, an *Authority*, a *Council* is enabled or empowered by the Act which creates it. This means that *if* and *as* the Act (in this case the *Federal Council of Australasia Act of 1885*) is repealed (or “*abolished*”, as the revolutionary type might prefer), it’s dependencies are *dis-enabled* and/or are *dis-empowered*: the Act and its dependencies become *defunct* and *in-operable as of and from 9 July 1900* (Establishment).

So, to make sense of all this, *it is not possible, competent, valid, Lawful, Constitutional or logical* to employ as an instrument of repeal "CONSTITUTION 51. (xxxviii)" by means of the *Defunct Powers* (as of and from 9 July 1900) of a *Repealed Act* (Federal Council of Australasia Act of 1885) to repeal an Act ("*British Act*") which was Enacted *subsequent to* and *independent of* an Act of Her Majesty Queen Victoria (THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900), and which instrument pertains only to "*any laws passed by the Federal Council of Australasia and in force at the establishment of the Commonwealth*" (9 July 1900).

Not only was THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 *not* an Act of the British Parliament, it was also *not* an Act of the defunct *Federal Council of Australasia* and it was also *not* the defunct *Federal Council of Australasia* that Enacted the "*British Act*": it was the allegedly competent legislature of the colony-State of Victoria in conjunction with the other colony-States of [QUEENSLAND or the other "original States" of the "Commonwealth" that co-Enacted (63 & 64 VICT. c. 12)]. Something which may have escaped the attention of the conveniently drunk and/or professionally stupid is that, the defunct *Federal Council of Australasia* had nothing to do with British Act or Westminster Act of 1932. As of Federation (which is *after* the Establishment of the Constitution of the Commonwealth), the legislatures of the States of the Commonwealth had their full Constitutional powers.

An important point that still may have escaped the in-attentive is this:

( 63 & 64 VICT. c. 12) is the *Enactment, Commencement, Declaration and Establishment* of the *Constitution* of the Commonwealth (9 July 1900) and which is not the same as and cannot be equated with the "*establishment of the Commonwealth*" (or *Federation, which is to be Declared by Proclamation* no later than twelve months after 9 July 1900. 1 January 1901 is date of Federation. 1 January 1901 is also the date of Commencement of THE CRIMINAL CODE OF 1899 (63 Vic.No.9)). *If* and *as* the powers of the *Federal Council of Australasia* were expunged with the repeal of The Federal Council of Australasia Act of 1885 (*on, as of* and *from* 9 July 1900) and such powers did not enact "British Act" or Westminster Act (which was enacted *after* 9 July 1900), *or* the CONSTITUTION ACT OF 1900, then the instrument of repeal of "British Act", CONSTITUTION 51. (xxxviii), is an invalid instrument of repeal for the repeal of "British Act" or the caveats of the Westminster Act of 1932.

Several other *constraining provisions* that were repealed by Australia Act 1986 could permissibly have been repealed using CONSTITUTION 51. (xxxviii), but *not* "British Act"/Westminster Act, or provisions thereof, itself. The instrument of the repeal of the "British Parliamentary Legislative Authority over the colonial legislatures" is invalid and is either the result of illiteracy or a fraudulent application.

It is perhaps unfortunate that "legislators"(sic.) are required by their Oaths of Affirmation of Allegiance to be qualified to hold positions of profit under the Crown *and* that as a condition of swearing that Oath (whether they did so or not), in so Swearing that Oath of Affirmation of Allegiance, and/or in being allowed to occupy positions in the Parliaments of the Commonwealth, they are Swearing to being *qualified to hold* such positions, the essential element of which is *to acknowledge* the Legitimate Crown, *to know* and *to be obedient to* the Laws and Constitution of the Commonwealth - *to being a worthy and competent subject of the Crown*.

(63 Vic. No.9)  
THE CRIMINAL CODE OF 1899

PART I-INTRODUCTORY  
INTERPRETATION : APPLICATION : GENERAL PRINCIPLES

CHAPTER V-CRIMINAL RESPONSIBILITY

22. *Ignorance of law: Bonâ fide claim of right.*

Ignorance of the law does not afford any excuse for an act or omission which would otherwise constitute an offence, unless knowledge of the law by the offender is expressly declared to be an element of the offence.



**Australia Act 1986**

**1. Termination of power of Parliament of United Kingdom to legislate for Australia**

No Act of the Parliament of the United Kingdom passed after the commencement of this Act shall extend, or be deemed to extend, to the Commonwealth, to a State or to a Territory as part of the law of the Commonwealth, of the State or of the Territory.

**Australia Act 1986**

**10. Termination of responsibility of United Kingdom Government in relation to State matters**

After the commencement of this Act Her Majesty's Government in the United Kingdom shall have no responsibility for the government of any State.

Had the "*humpy architects*" of **Australia Act 1986** been intent on the (perhaps) honorable aim of ending British Parliamentary over-sight and control over matters pertaining to the original Constitutional powers of the States' Legislatures to legislate for themselves *subject to* the Legitimate Laws and Constitution of the Commonwealth, **10.** (above) would have been an ideal repeal instrument: a reasonable request based on the consensus of the persons of the Commonwealth, by plebiscite or referendum, rather than by a *deception* employing an invalid instrument. But the People were not even consulted.

But as this evidently was not the case, and the republican revolutionaries (or what ever they claimed to be) – who are Sworn to Allegiance to the Monarch and Crown, Sworn to Allegiance and Obedience to the Sovereign Rule of Law (63 Vic. No.9) and Sworn to Adherence and Service to the Constituted Order of Governance of the Constitution (63 & 64 VICT. c. 12) – intended to limit and appropriate the Lawful Constitutional Powers of the Monarch, and intended to subvert the Constituted Order of Government in the States of the Commonwealth to suit their own interested purposes.

It could be argued, spuriously, that the architects of the Act of 1986 were not so sworn to Allegiance to the Crown and that the Constitutional Oath of Allegiance and Statutes do not apply to them. Consider the following :



## REVOLUTION 1986

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### (63 & 64 VICT. c. 12) THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

#### CHAPTER I THE PARLIAMENT

##### PART II – THE SENATE

###### *16. Qualifications of senator*

The qualifications of a senator shall be the same as those of a member of the House of Representatives.

##### PART III – THE HOUSE OF REPRESENTATIVES

###### *34. Qualifications of members*

Until the Parliament otherwise provides, the qualifications of a member of the House of Representatives shall be as follows:—

(i) He must be of the full age of twenty-one years, and must be an elector entitled to vote at the election of members of the house of Representatives, or a person qualified to become such elector, and must have been for three years at the least a resident within the limits of the Commonwealth as existing at the time when he is chosen:

(ii) He must be a subject of the Queen, either natural-born or for at least five years naturalized under a law of the United Kingdom, or of a Colony which has become or becomes a State, or of the Commonwealth, or of a State.

##### PART IV – BOTH HOUSES OF THE PARLIAMENT

###### *42. Oath of affirmation of allegiance*

Every senator and every member of the House of Representatives shall before taking his seat make and subscribe before the Governor-General, or some person authorised by him, an oath or affirmation of allegiance in the form set forth in the schedule to this Constitution.

#### SCHEDULE

##### OATH

I, A.B., do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, Her Heirs and Successors according to law.  
SO HELP ME GOD!

##### AFFIRMATION

I, A.B., do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, Her Heirs and Successors according to law.

(NOTE.—*The name of the King or Queen of the United Kingdom of Great Britain and Ireland for the time being is to be substituted from time to time.*)

*Applying to and informing 42. Oath of affirmation of allegiance* and the *Scheduled Oath* (above) is section 4 of THE CONSTITUTION ACT OF 1867. The significant differences between the related statutes of the two Acts is merely in the detail and do not indicate that the stipulations of (63 & 64 VICT. c.12) supersede or negate or expunge the stipulations of the earlier Act as there is no inconsistency or contradiction. The meaning and implications of (33 Vic. No. 38) are to be read into (63 & 64 VICT. c.12).

(33 Vic. No. 38)  
THE CONSTITUTION ACT OF 1867

*The Legislature.*

4. No member of either the Legislative Council or of the Legislative Assembly shall be permitted to sit or vote therein until he shall have taken and subscribed the following oath before the Governor of the colony or before some person or persons authorised by such Governor to administer such oath –

“ I A. B. do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria as lawful Sovereign of Great Britain and Ireland and of this colony of Queensland dependent on and belonging to the said United Kingdom  
So help me God ” –

And whensoever the demise of Her present Majesty or of any of Her Successors to the Crown of the said United Kingdom shall be notified by the governor of the colony to the said Council and Assembly respectively the members of the said Council and Assembly shall before they shall be permitted to sit and vote therein take and subscribe the like oath of allegiance to the Successor for the time being to the said Crown.

The *proviso* pertaining to the Heirs and Successors of the Crown are given a different treatment in the year 1900 with the specific enactment of

(63 & 64 VICT. c. 12)  
THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

*2. Act to extend to the Queen's successors*

The provisions of this Act referring to the Queen shall extend to Her Majesty's Heirs and Successors in the sovereignty of the United Kingdom.

which is linked directly to the Qualifications of members and senators of the Parliaments (*they must be subjects of the Crown in order to sit in the Parliaments of the Commonwealth*), and the Oath of Affirmation of Allegiance to which they must Solemnly Swear *if* they are to sit in the Parliaments of the Commonwealth and its States.

All of this is given in the reverse in the following statutes/statute sections –

(63 & 64 VICT. c. 12)  
THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

CHAPTER I  
THE PARLIAMENT

PART IV – BOTH HOUSES OF THE PARLIAMENT

*44. Disqualification*

Any person who –

(i) Is under any acknowledgment of allegiance, obedience, or adherence to a foreign power, or is a subject or a citizen or entitled to the rights or privileges of a subject or a citizen of a foreign power: or

(ii) Is attainted of treason, or has been convicted and is under sentence, or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer: or

(iii) Is an undischarged bankrupt or insolvent: or

(iv.) Holds any office of profit under the Crown, or any pension payable during the pleasure of the Crown out of any of the revenues of the Commonwealth: or

(v.) Has any direct or indirect pecuniary interest in any agreement with the Public Service of the Commonwealth otherwise than as a member and in common with the other members of an incorporated company consisting of more than twenty-five persons:

shall be incapable of being chosen or of sitting as a senator or a member of the House of Representatives.

But sub-section iv. Does not apply to the office of any of the Queen's Ministers of State for the Commonwealth, or of any of the Queen's Ministers for a State, or to the receipt of pay, half pay, or a pension, by any person as an officer or member of the Queen's navy or army, or to the receipt of pay as an officer or member of the naval or military forces of the Commonwealth by any person whose services are not wholly employed by the Commonwealth.

*45. Vacancy on happening of disqualification*

If a senator or member of the House of Representatives –

(i) Becomes subject to any of the disabilities mentioned in the last preceding section: or

(ii) Takes the benefit, whether by assignment, composition, or otherwise, of any law relating to bankrupt or insolvent debtors: or

(iii) Directly or indirectly takes or agrees to take any fee or honorarium for services rendered to the Commonwealth, or for services rendered in the Parliament to any person or State: his place shall thereupon become vacant.

*46. Penalty for sitting when disqualified*

Until the Parliament otherwise provides, any person declared by this constitution to be incapable of sitting as a senator or as a member of the House of Representatives shall, for every day on which he so sits, be liable to pay the sum of one hundred pounds to any person who sues for it in any court of competent jurisdiction.

And, so, what is the *intendment* of all of this, or what does all of this *mean*? As self-evident as it all is to anyone who has read it or read it correctly, the Qualifications of members and senators of the Parliaments of the Commonwealth are:

he must be a *subject of the Crown* of the United Kingdom and the Commonwealth and the other dominions of that same Crown.

Given the context of Legislative candidacy and/or position of profit under the Crown in the Parliaments of the Commonwealth, a loyal subject of the Crown will be

*one who is committed and dedicated to* the service of the Crown (the Reigning Monarch in the perpetuity of the Crown of the United Kingdom, the Sovereign Rule of Law of the Australian territories (63 Vic. No.9), the Enacted and Established Constitution of the Governments of the Commonwealth and the whole of (63 & 64 VICT. c.12));

*one who knows* the Sovereign Laws (63 Vic. No.9) and Constitution of the Commonwealth (63 & 64 VICT. c.12) and the statutes/Acts which inform it;

*one who will be allegiant, obedient and adherent* to that Crown

*one who* is not subject to any of the disqualifying disabilities of the Laws (63 Vic. No.9) and Constitution (63 & 64 VICT. c.12) of the Commonwealth.

Any deviation from this, whether in the swearing of the *Oath of affirmation of allegiance* with different words and/or with other or contradictory or inconsistent intentions, or in terms of party-political or constitutional *beliefs*, or (whether declared or not) in the service of self-interest or foreign-interests (or *interests foreign-to* the Crown and the Laws and Constitution) means that

*one is not qualified to*, and *one is not to be permitted to*, and *one is ineligible to obtain, maintain, or hold* a position for profit under the Crown in the Parliaments;

one is liable to disqualification and the loss of one's position for profit under the Crown in the Parliaments;

one is liable to penalties for sitting when not qualified and/or disqualified;

one is liable to criminal prosecution for acts and omissions which are in defiance of the Crown, the Sovereign Rule of Law and the Constitution of the Commonwealth.

It *may be* that certain *conventions* and/or *interested conventional practices* have displaced, distorted, or over-ridden the lawful place and authority of the Crown, the Laws and Constitution of the Commonwealth from Federation (1 January 1901). Such *interested conventions* or *conveniences*, to the extent that they are *repugnant to*, or *in-consistent with*, or *in contravention of* the lawful place and authority of the Crown and the Laws and the Constitution of the Commonwealth, *are not permitted*, and *are unlawful* and *are unconstitutional* and *are not to be supported* and *cannot be allowed* by any loyal subject of the Crown, whether in the execution or performance of their duties and responsibilities of office, duties and responsibilities of their positions of profit under the Crown, or in the daily occupations as the *ordinary man*.

#### Australia Act 1986

##### 2. Legislative powers of Parliaments of States

(1) It is hereby declared and enacted that the legislative powers of the Parliament of each State include full power to make laws for the peace, order and good government of that State that have extra-territorial operation.

Briefly and in passing, this (above) is technically a reversion to the Constitutional situation of the Parliaments of the Commonwealth prior to the British caveats. Missing from the above but according to THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900, all members and senators of the Parliaments of the Commonwealth are to "*make laws for the peace, order and good government ...*" but *strictly subject to the Legitimate Sovereign Laws of the Commonwealth* - THE CRIMINAL CODE [ACT] OF 1899 - and *strictly subject to* the Laws of THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900.

"Extra-Territorial Operation" derives from the Commonwealth being signatory to several of the Provisions of the Act/Statute of Westminster of 1932 which may mean that, should the Commonwealth repeal (or "*abolish*") the said Statute, the "States that have extra-territorial operation" would lose that power of operation (whatever that may mean) *and* those jurisdictions which are "extra-territorial".

**Australia Act 1986**

**3. Termination of restrictions on legislative powers of Parliaments of States**

(1) The Act of the Parliament of the United Kingdom known as the Colonial Laws Validity Act 1865 shall not apply to any law made after the commencement of this Act by the Parliament of a State.

(2) No law and no provision of any law made after the commencement of this Act by the Parliament of a State shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any existing or future Act of the Parliament of the United Kingdom, or to any order, rule or regulation made under any such Act, and the powers of the Parliament of a State shall include the power to repeal or amend any such Act, order, rule or regulation in so far as it is part of the law of the State.

Firstly, The Colonial Laws Validity Act of 1865 will only *not* apply to any law of a State of the Commonwealth made *after* the Act of 1986.

Secondly, *the* State of the Commonwealth is not *a* State of the Commonwealth, so *the State of the Commonwealth* cannot have been intended, as can be derived from the context of the term referring to *a State*.

Thirdly, Australia Act 1986 removes the The Colonial Laws Validity Act of 1865 *restrictions* on the legislation of the States of the Commonwealth to the extent of their repugnancy to Laws of the Parliament of the United Kingdom.

**Australia Act 1986**

**3. Termination of restrictions on legislative powers of Parliaments of States**

(1) The Act of the Parliament of the United Kingdom known as the Colonial Laws Validity Act 1865 shall not apply to any law made after the commencement of this Act by the Parliament of a State.

(2) No law and no provision of any law made after the commencement of this Act by the Parliament of a State shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any existing or future Act of the Parliament of the United Kingdom, or to any order, rule or regulation made under any such Act, and the powers of the Parliament of a State shall include the power to repeal or amend any such Act, order, rule or regulation in so far as it is part of the law of the State.

Firstly, The Colonial Laws Validity Act of 1865 will only *not* apply to any law of a State of the Commonwealth made *after* the Act of 1986.

Secondly, Australia Act 1986 removes the **THE COLONIAL LAWS VALIDITY ACT OF 1865** *restrictions* on the legislation of the States of the Commonwealth to the extent of their repugnancy to Laws of the Parliament of the United Kingdom.

Here again, **THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900** is *not* an Act of the *Federal Council of Australasia* whose powers were expunged by the repeal of *The Federal Council of Australasia Act of 1885* (9 July 1900), and it is also *not* an Act of the British Parliament which was enacted prior to “restrictive caveats” and Federation. *The Colonial Laws Validity Act of 1865* informs and defines certain aspects of the colonial authority which persist in and do not cease with the enactment of **THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900**.

In other words, the *Australian territories-colonies, possessions of the Crown, British property* do not cease to be so with the enactment of **THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900** which enacts no “*independence declaration*” and contains no transfer of lawful title (our term for this is “Constitutional Assurance”, (see **THE SUCCESSION ACT OF 1867** (31 Vic. No. 24), **INTERPRETATION**, s. 1A. *Meaning of words in the Act*), and which does not *relegate* the Authority of the Monarch or *delegate* authority to anyone, but for the optional representative executives of the Crown – the Governor-General or who soever They appoint in what soever capacity *They appoint them* to exercise the Monarch’s powers, and the Monarch’s representative executive officers the Governors In Council and the Governors of State and the States: this Act ensures that no foreign interests, subversives, revolutionaries or traitors or other criminals may obtain or hold any position for profit under the Crown in the Parliaments of the Commonwealth and its colonies-States-territories (we surmise that this also pertains to the Civil and Public Service and to the Defence Forces) – the dependants of the Crown are not also to be the Enemies of the Crown.



Incidental to these considerations, or another aspect of them, that probably has not been noticed or comprehended before, is the Monarch's necessary submission to the Legitimate Laws and Constitution of the Commonwealth. The Monarch is the possessor of *Their* dominions and *Their* territories-colonies-States, by LAW. The Monarch is bound by the Laws and Constitution, as in the game of chess there are only specific moves that the Monarch and the other figures can make. To consider the following statute-Act

(63 & 64 VICT. c. 12)  
THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

*2. Act to extend to the Queen's successors*

The provisions of this Act referring to the Queen shall extend to Her Majesty's Heirs and Successors in the sovereignty of the United Kingdom.

This Act (to which members and senators of the Parliaments must be faithfully and lawfully sworn *as a condition of taking a position of profit under the Crown*) is also binding on the Reigning Monarch in the sense that, just as the Crown extends along the Monarchic Line of Succession, the possessions of the Crown *also* extend along the Line of Monarchic Succession.

The British properties are "*Constitutionally assured*" in the perpetuity of the Monarchy, from one Reigning Monarch to the next Reigning Monarch of the Legitimate Line of Succession.

This repeal "idiots' provision" only relates to British Parliamentary Laws and Enactments as they affect the Laws and operations of States' Legislatures. Throughout the whole of the Act, there is no visible alteration to the responsibilities of the Parliament of the Commonwealth, and as we shall see, the alterations to the Parliamentary powers of States of the Commonwealth are unlawful and are thus invalid and null and void.

THE CRIMINAL CODE [ACT] OF 1899 *and* THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 are *not* Acts of the British Parliament; the Parliaments of the Commonwealth and its States and Territories are *not* thereby (magically or otherwise) made any the less subject to the Sovereign Laws (63 Vic. No.9) and Constitution of the Commonwealth (63 & 64 VICT. c.12).



The Constitutional Responsibilities of the *Governor-General* of the Commonwealth and the *Governors In Council* and the *Governors* of the States of the Commonwealth and the Government of the Commonwealth in relation to the "Compliance of Government to –" and "the Administration of Government under –" and "*the execution and maintenance of this Constitution, and of the laws of the Commonwealth* (63 Vic.No.9)" are *not* thereby – in the above Act of 1986, s. 3. (1), (2) – "*abolished*" or diminished. The *good government* of the Commonwealth has always had a responsibility to ensure that the laws made by, and the activities of, the governments of its States are in full compliance with the *legitimate* laws of the Commonwealth.

Throughout the whole of the Act (1986), there is no visible alteration to the responsibilities of the government of the Commonwealth.

The Constitutional Responsibilities of the Governor-General of the Commonwealth and the Governors of the States of the Commonwealth and the Government of the Commonwealth and the Governments of the States in relation to "Compliance of Government to –" and "the Administration of Government under –" and "*the execution and maintenance of this Constitution, and of the laws of the Commonwealth*" are *not* thereby – (in the above 3. (1), (2)) – "*abolished*" or diminished. The government of the Commonwealth has always had a responsibility to ensure that the laws made by the governments of its States are in full compliance with the legitimate laws of the Commonwealth. This this *duty* evidently has not been responsibly or loyally performed since Federation is not excuse for it to be continued at any time.

The British Properties are "*Constitutionally assured*" in the perpetuity of the Monarchy, from one Reigning Monarch to the next Reigning Monarch in the Legitimate Line of Succession.

This repeal provision (**Australia Act 1986, s. 3.**) only relates to British Parliamentary Laws and Enactments as they affect the Laws and operations of the States' Legislatures. If it is intended by s. 3 that the **THE CRIMINAL CODE [ACT] OF 1899** and/or **THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900** and/or *in-convenient* sections-statutes thereof are to be repealed whensoever a law needs to be broken to suit some interested or other criminal end, Australia Act 1986 is *automatically repugnant to* the Crown and the Laws and Constitution of the Commonwealth and is of no effect as it is a criminal manifesto and *in no sense a valid law*. As Australia Act 1986 is a false and criminal Act it is automatically null and void.

The Parliament of any State or territory of the Commonwealth, extending to the Parliament of the Commonwealth, which sought to repeal or negatively amend or interestedly affect any part or the whole of any Lawful Act would be disqualified, indicted and tried for crimes against the Crown and the State. *Any Legislature which is not competent is without authority and any dependant of the Crown who fails to perform their lawful and Constitutional duties of office is a criminal.*

THE CRIMINAL CODE [ACT] OF 1899 *and* THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 are *not* Acts of the British Parliament; the members and senators of the Parliaments of the Commonwealth and its States and Territories are *not* thereby (magically or otherwise) made any the less *subject to* the Sovereign Laws (63 Vic.No.9) and Constitution of the Commonwealth (63 & 64 VICT. c. 12).

(63 & 64 VICT. c. 12)  
THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900  
CHAPTER II  
THE EXECUTIVE GOVERNMENT  
*61. Executive power*

The executive power of the Commonwealth is vested in the Queen and is exercisable by the Governor-General as the Queen's representative, and extends to **the execution and maintenance of this Constitution, and of the laws of the Commonwealth** (63 Vic.No.9).

PART V-POWERS OF THE PARLIAMENT  
*51.Legislative powers of the Parliament*

The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to: - ...

(vi) ... the control of the forces to execute and maintain the laws of the Commonwealth [(63 Vic.No.9)].

**Australia Act 1986**

**2. Legislative powers of Parliaments of States**

(1) It is hereby declared and enacted that the legislative powers of the Parliament of each State include full power to make laws for the peace, order and good government of that State that have extra-territorial operation.

It is made unclear by the sub-standard language of the sloppy drafting of this whether all States have extra-territorial operation and/or whether the States that do not have extra-territorial operation are *not* required *to make laws for the peace, order and good government of that State.*

**Australia Act 1986**

**3. Termination of restrictions on legislative powers of Parliaments of States**

(2) No law and no provision of any law made after the commencement of this Act by the Parliament of a State shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any existing or future Act of the Parliament of the United Kingdom, or to any order, rule or regulation made under any such Act, and the powers of the Parliament of a State shall include the power to repeal or amend any such Act, order, rule or regulation in so far as it is part of the law of the State.

Again, the “drafting” (and here we speak in jest) clearly states that the provision only concerns matters occurring *after* the enactment of the Act of 1986 which means that any laws prior to that Act continue to apply unless they are specifically repealed by the Act of 1986. Perhaps some kind of “*esoteric divination of the original intention instrument*” is made available to Rhodes Scholars and other idiot revolutionary types?

**Australia Act 1986**

**6. Manner and form of making certain State laws**

Notwithstanding sections 2 and 3 (2) above, a law made after the commencement of this Act by the Parliament of a State respecting the constitution, powers or procedure of the Parliament of the State shall be of no force or effect unless it is made in such manner and form as may from time to time be required by a law made by that Parliament, whether made before or after the commencement of this Act.

Regarding 6. (immediately above), the text is *effectively meaningless*, as can be recognised to a very similar extent in other “Australian government”(sic.) publications. Unless this “Act” is of a standard, or to the standard that, can somehow “*not be read to be understood*” by supposedly literate and appropriately qualified and Loyal Representatives of the Monarch and subjects of the Crown. There is no discernable point to the text, and there is pointless non-elaborative reference to other provisions in the text, which *referred-to* provisions do not shed any light on or elaborate further on the non-matters of the referring provision.

How this abject non-sense and/or “*effective gibberish*” can pass for “legislation” and/or can be “Assented in the name of Her Majesty” is not something that can be explained short of some psychiatric and/or psycho-graphic analysis and assessment of the “author(s)” of the published version of **Australia Act 1986** in question. All of this could indicate that the caliber of those in the Parliaments is insufficient to enable them to even begin to comprehend any of the Victorian or Imperial Acts written as they are in an English which was understood by those who used it and was intended for those who were capable of understanding it.

**Australia Act 1986**

**7. Powers and functions of Her Majesty and Governors in respect of States**

- (1) Her Majesty's representative in each State shall be the Governor.
- (2) Subject to subsections (3) and (4) below, all powers and functions of Her Majesty in respect of a State are exercisable only by the Governor of the State.
- (3) Subsection (2) above does not apply in relation to the power to appoint, and the power to terminate the appointment of, the Governor of a State.
- (4) While Her Majesty is personally present in a State, Her Majesty is not precluded from exercising any of Her powers and functions in respect of the State that are the subject of subsection (2) above.
- (5) The advice to Her Majesty in relation to the exercise of the powers and functions of Her Majesty in respect of a State shall be tendered by the Premier of the State.

**Australia Act 1986**

**8. State laws not subject to disallowance or suspension of operation**

An Act of the Parliament of a State that has been assented to by the Governor of the State shall not, after the commencement of this Act, be subject to disallowance by Her Majesty, nor shall its operation be suspended pending the signification of Her Majesty's pleasure thereon.

**Australia Act 1986**

**9. State laws not subject to withholding of assent or reservation**

- (1) No law or instrument shall be of any force or effect in so far as it purports to require the Governor of a State to withhold assent from any Bill for an Act of the State that has been passed in such manner and form as may from time to time be required by a law made by the Parliament of the State.
- (2) No law or instrument shall be of any force or effect in so far as it purports to require the reservation of any Bill for an Act of a State for the signification of Her Majesty's pleasure thereon.

**Australia Act 1986**

**11. Termination of appeals to Her Majesty in Council**

- (1) Subject to subsection (4) below, no appeal to Her Majesty in Council lies or shall be brought, whether by leave or special leave of any court or of Her Majesty in Council or otherwise, and whether by virtue of any Act of the Parliament of the United Kingdom, the Royal Prerogative or otherwise, from or in respect of any decision of an Australian court.
- (2) Subject to subsection (4) below —
  - (a) the enactments specified in subsection (3) below and any orders, rules, regulations or other instruments made under, or for the purposes of, those enactments; and
  - (b) any other provisions of Acts of the Parliament of the United Kingdom in force immediately before the commencement of this Act that make provision for or in relation to appeals to Her Majesty in Council from or in respect of decisions of courts, and any orders, rules, regulations or other instruments made under, or for the purposes of, any such provisions, in so far as they are part of the law of the Commonwealth, of a State or of a Territory, are hereby repealed.
- (3) The enactments referred to in subsection (2) (a) above are the following Acts of the Parliament of the United Kingdom or provisions of such Acts:
  - The Australian Courts Act 1828, section 15
  - The Judicial Committee Act 1833
  - The Judicial Committee Act 1844
  - The Australian Constitutions Act 1850, section 28
  - The Colonial Courts of Admiralty Act 1890, section 6.
- (4) Nothing in the foregoing provisions of this section —
  - (a) affects an appeal instituted before the commencement of this Act to Her Majesty in Council from or in respect of a decision of an Australian court; or
  - (b) precludes the institution after that commencement of an appeal to Her Majesty in Council from or in respect of such a decision where the appeal is instituted —
    - (i) pursuant to leave granted by an Australian court on an application made before that commencement; or
    - (ii) pursuant to special leave granted by Her Majesty in Council on a petition presented before that commencement, but this subsection shall not be construed as permitting or enabling an appeal to Her Majesty in Council to be instituted or continued that could not have been instituted or continued if this section had not been enacted.

The relative autonomy of the Legislatures of the States of the Commonwealth is Established *by* and *in* THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900, which, regarding the legitimate roles of Official personnel, is informed and governed by THE OFFICIALS IN PARLIAMENT ACT OF 1896 (60 Vic.No.3), and which is founded in and upon, enabled and made lawful by, and is incorporative of THE CRIMINAL CODE [ACT] OF 1899.

It is one thing to seek to repeal an Act (British Act) which affects this relative legislative autonomy, but it is another thing entirely to seek permission for such an appeal with an invalid instrument for doing so (CONSTITUTION ACT, 51. (xxxviii)).

And it is another thing again, to use the same false instrument to unlawfully and radically alter ("radically transform" is perhaps more meaningful to the *revolutionary ilk*) the Constitution of the Commonwealth, whilst claiming that *the Constitution is not affected by the Act which affects it* - as though the Constitution was just words on paper and, as those words on paper have not been altered, there have been no changes made to the Constitution.

The *conventions* of "prime minister" and "premiers", which have no Constitutional Legitimacy other than the imitative convention of *convenient illiteracy*, are *imposed on to* the *constitutionality* of the Commonwealth without any lawful adherence to 128. *Mode of altering the Constitution*. Because of this and because such alterations are unlawful and against the Constitution, no amendment was made to the Constitution of the Commonwealth (which would have to fully comply with CONSTITUTION ACT, 128.). And all this whilst claiming Constitutional conformity and whilst being sworn to the Crown, Constitution and Laws?

The *false* claim that "Commonwealth Constitution, Constitution Act ... not affected" - despite the fact that the merely conventional and Constitutionally invalid "drunken heads of State" have just been elevated (by the terms of the Act) to positions which are Constitutionally the Offices and Responsibilities and Duties of *Governors-General* and *Governors In Council* and *Governors*, and by effectively demoting those Officers to mere functionaries of unlawful and unconstitutional Parliamentary frippery - cannot be more of a *LIE* than it is.

AND to simultaneously restrict and limit the Lawful, Statutorily and Constitutionally Enacted Rights and Powers of the Monarch, *and* to reduce the Monarch to a perfunctory instrument for the validation of interested and unlawful and unconstitutional "legislation", grave though it is, is merely one more aspect of in-competent insurrection and revolution against the Crown, Crown Laws and Constitution of the Commonwealth.



If there was any genuine Loyalty and Obedience, these usurper-frauds would have not implemented such revolutionary alterations to the Constitution and the Constituted form of Legitimate Governance. If the Laws and Constitution were dutifully maintained and executed, and promulgated to an appropriately well educated public who were made aware of what the Constitution really is comprised of and what it really is and what the consequences of it really are, there would have been no "*revolution 1986*", as people are generally *not that stupid* – in spite of what mogul-media would have them believe about themselves.

We must admit that we are at a loss to account for what *lawful means* and what *valid instrument* that would enable this "*Australia Act*" to be assented-to by any Loyal Crown Subject, or to enable the Act to pass any examination by any Loyal and Competent Authority, because, so far as we can determine, the means used are *fraudulent* and the effects intended are *unlawful* and the alterations effected are *anti-Constitutional*, and those Sworn to Allegiance to the Crown are those who are intent on effectuating *revolution* or *unlawful change against the Crown and Laws and Constitution and People of the Commonwealth*.

As we have seen, the instrument employed for the repeal of "British caveats", "Constitution 51. (xxxviii)", was not capable of being so employed to repeal "British caveats" and/or any provisions-statutes of The Westminster Act of 1932, as the Powers of the *Federal Council of Australasia* were abolished with the repeal of *Federal Council of Australasia Act of 1885 on and as of and from 9 July 1900*, which instrument would also have been inapplicable as THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 (63 & 64 VICT. c. 12) was not Established *after* it was established and neither was it (63 & 64 VICT. c. 12) an Act over which the British Parliament or the *Federal Council of Australasia* had any control prior to or subsequent to the Enactment and Establishment of COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT (63 & 64 VICT. c. 12), *9 July 1900*.

As we have also seen, there is *no lawful means* of diminishing, adversely affecting, or terminating the Constituted Powers of the Monarch (63 Vic. No.9 & 63 & 64 VICT.), just as there are no lawful means of unlawfully altering the Constitutional form of Governance (63 Vic. No.9 & 63 & 64 VICT. c. 12). So, *what lawful means* or *valid instrument* did the Constitutional non-entities or nominal "heads of State" of the Commonwealth, in breach of *128. Mode of altering the Constitution*, employ to affect such *unlawful Constitutional Alterations* ? *BECAUSE* there are no lawful means with or by which to effect their intentions (treason), the plotters behind Australia Act 1986 executed their revolution *by sleight of hand*, otherwise known as *FRAUD*.

And, as it *does not appear to be possible* for the Monarch to relinquish the Crown of the Commonwealth – short of by Abdication (*in which case and as the Act to extend to the Queen's Successors* lawfully serves to Extend the Crown to the Reigning Monarch's Heirs and Successors), and as the Constitutionally Scheduled Oath of Affirmation of Allegiance stipulates that *no one* may sit in the Parliaments of the Commonwealth without solemnly and truthfully swearing the Constitutionally Scheduled Oath of Allegiance (in direct and explicit reference to the *Act to extend to the Queen's Successors*) ensures that the Royal Ascent would *then* Pass to the next *Successor-In-Line* – regardless of what some one *falsely* Swearing Allegiance would maintain that they were swearing to in contravention of the Scheduled Oath of the Constitution of the Commonwealth, or what they claimed that they thought they were Swearing to by following some [unlawful and mere] *convention of kant* ...

Not only is the relinquishing of the Crown of the Commonwealth not possible without abdication, the Monarch cannot accept a reduction of the Monarch's Powers and Rights and Entitlements for themselves, as to do so is to adversely affect the "*Constitutional Assurance*" and *tail* of the Heirs and Successors to that same Crown.

(63 Vic. No.9)

THE CRIMINAL CODE OF 1899

CHAPTER XVI-OFFENCES RELATING TO THE ADMINISTRATION OF JUSTICE

123. Perjury

Any person who in any judicial proceeding, or for the purpose of instituting any judicial proceeding, knowingly gives false testimony touching any matter which is material to any question then depending in that proceeding, or intended to be raised in that proceeding, is guilty of a crime, which is called perjury.

It is immaterial whether the testimony is given on oath or under any other sanction authorised by law.

The forms and ceremonies used in administering the oath or in otherwise binding the person giving the testimony to speak the truth are Immaterial, if he assents to the forms and ceremonies actually used.

It is immaterial whether the false testimony is given orally or in writing.

It is immaterial whether the court or tribunal is properly constituted, or is held in the proper place, or not, if it actually acts as a court or tribunal in the proceeding in which the testimony is given.

It is immaterial whether the person who gives the testimony is a competent witness or not, or whether the testimony is admissible in the proceeding or not.

The offender cannot be arrested without warrant.

## **Australia Act 1986**

### **2. Legislative powers of Parliaments of States**

(1) It is hereby declared and enacted that the legislative powers of the Parliament of each State include full power to make laws for the peace, order and good government of that State that have extra-territorial operation.

## **Australia Act 1986**

### **3. Termination of restrictions on legislative powers of Parliaments of States**

(2) No law and no provision of any law made after the commencement of this Act by the Parliament of a State shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any existing or future Act of the Parliament of the United Kingdom, or to any order, rule or regulation made under any such Act, and the powers of the Parliament of a State shall include the power to repeal or amend any such Act, order, rule or regulation in so far as it is part of the law of the State.

## **Australia Act 1986**

### **5. Commonwealth Constitution, Constitution Act and Statute of Westminster not affected**

Sections 2 and 3 (2) above –

- (a) are subject to the Commonwealth of Australia Constitution Act and to the Constitution of the Commonwealth; and
- (b) do not operate so as to give any force or effect to a provision of an Act of the Parliament of a State that would repeal, amend or be repugnant to this Act, the Commonwealth of Australia Constitution Act, the Constitution of the Commonwealth or the Statute of Westminster 1931 as amended and in force from time to time.

## **Australia Act 1986**

### **12. Amendment of Statute of Westminster**

Sections 4, 9 (2) and (3) and 10 (2) of the Statute of Westminster 1931, in so far as they are part of the law of the Commonwealth, of a State or of a Territory, are hereby repealed.

Here, the immediate contradiction of *“Statute of Westminster not affected”* with the repeals of “Sections 4, 9(2) and (3) and 10(2) of the Statute of Westminster 1932, insofar as they are part of the law of the Commonwealth, of a State or of a Territory” is astounding. If a thing “A” is *not affected by* another thing “B”, then it cannot also be so that the thing “A” which is unaffected by “B” is also affected by “B”.

So, to the rest of the claim that the *“Commonwealth Constitution [and the] Constitution Act [are also] not affected”* ... On paper, COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT (63 & 64 VICT. c. 12) has not been affected by **Australia Act 1986** because Statute 128. *Mode of altering the Constitution* has unlawfully not been adhered to and no alterations or amendments to the Constitution have been amended back into the Constitution, as were not Provisions of the “British caveats” amended into the Constitution in the first place. In the following – 15.(3) (below) – mentions Constitutional “alteration ... made in accordance with section 128”, but it appears unlikely that this is genuine as 128. was not even slightly adhered to in the “enactment”(sic.) of **Australia Act 1986**.



This is not merely sloppy drafting, it is also elementarily illogical, unless this is the standard of "*Australian maturity*"(sic.) that has been attained by those in the Parliaments of the Commonwealth, those who spew forth republican sedition against the Crown *to Whom* and *to Which* they are legally bound to Obedience and Adherence and Loyal Service – in which case, the laws of the Commonwealth are being drafted by idiots ... but it's alright, as they are *Illiterate Australian Idiots with no understanding of or regard for the Law* !

On the bright side, however, there is *nothing* in the entire text of **Australia Act 1986** which absolves the Parliament of the Commonwealth or the Parliaments of the States and Territories or the Governor-General or the Governors or the Public Service of any of their Lawfully Binding Constitutional Responsibilities or Duties or Obligations. And it is a good thing that the Governors are all also Sworn to Allegiance to the Crown and Sovereign Laws and Constitution of the Commonwealth ! This will surely save their souls !

(63 Vic. No.9)  
**THE CRIMINAL CODE OF 1899**

**CHAPTER V-CRIMINAL RESPONSIBILITY**

***22. Ignorance of the Law: Bona fide Claim of Right***

Ignorance of the law does not afford any excuse for an act or omission which would otherwise constitute an offence, unless knowledge of the law by the offender is expressly declared to be an element of the offence.

But a person is not criminally responsible, as for an offence relating to property, for an act done or omitted to be done by him with respect to any property in the exercise of an honest claim of right and without intention to defraud.

***23. Intention: Motive***

Subject to the express provisions of this Code relating to negligent acts and omissions, a person is not criminally responsible for an act or omission which occurs independently of the exercise of his will, or for an event which occurs by accident.

Unless the intention to cause a particular result is expressly declared to be an element of the offence constituted, in whole or part, by an act or omission, the result intended to be caused by an act or omission is immaterial.

Unless otherwise expressly declared, the motive by which a person is induced to do or omit to do an act, or to form an intention, is immaterial so far as regards criminal responsibility.

***34. Offences by Partners and Members of Companies with respect to Partnership or Corporate Property***

A person who, being a member of a co-partnership, corporation, or joint stock company, does or omits to do any act with respect to the property of the co-partnership, corporation, or company, which, if he were not a member of the co-partnership, corporation, or company, would constitute an offence, is criminally responsible to the same extent as if he were not such member.

**Australia Act 1986**

**15. Method of repeal or amendment of this Act or Statute of Westminster**

(1) This Act or the Statute of Westminster 1931, as amended and in force from time to time, in so far as it is part of the law of the Commonwealth, of a State or of a Territory, may be repealed or amended by an Act of the Parliament of the Commonwealth passed at the request or with the concurrence of the Parliaments of all the States and, subject to subsection (3) below, only in that manner.

(2) For the purposes of subsection (1) above, an Act of the Parliament of the Commonwealth that is repugnant to this Act or the Statute of Westminster 1931, as amended and in force from time to time, or to any provision of this Act or of that Statute as so amended and in force, shall, to the extent of the repugnancy, be deemed an Act to repeal or amend the Act, Statute or provision to which it is repugnant.

(3) Nothing in subsection (1) above limits or prevents the exercise by the Parliament of the Commonwealth of any powers that may be conferred upon that Parliament by any alteration to the Constitution of the Commonwealth made in accordance with section 128 of the Constitution of the Commonwealth after the commencement of this Act.

This (above) from the heading, "15. Method of repeal or amendment of this Act or Statute of Westminster", indicates that "*this Act*" (Australia Act 1986) can be repealed using "*128. Mode of altering the Constitution*" which is curious because Australia Act 1986 is not part of the COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT and is not part of the Constitution of the Commonwealth and *cannot be* because it is unlawful and against the Constitution and because it was purposefully not put to the People of the Commonwealth in any referendum or consultation.

*Why* this section has been included does not make sense as it should go without saying that NO alterations to the Constitution of the Commonwealth (COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT (63 & 64 VICT. c. 12) and its Statutes and its Text and anything that is affected and/or constituted by and in that Act) can be altered without strict adherence to the statute "*128. Mode of altering the Constitution*". And as the *Statute of Westminster 1932* has not been made part of the Constitution of the Commonwealth (63 & 64 VICT. c. 12), what does *its* alteration have to do with 128. ? As we have already seen, *The Act of Westminster of 1932* is supposed *not to be affected by* Australia Act 1986 and yet Australia Act 1986, section 12 *reads* "**Amendment of Statute of Westminster**. Sections 4, 9(2) and (3) and 10(2) of the Statute of Westminster 1931, in so far as they are part of the law of the Commonwealth, of a State or of a Territory, are hereby repealed" – without any employment of "*128*" to effectuate the repeals that Australia Act 1986 claims to have repealed – *and claims to have repealed without affecting the Constitution !*

(63 & 64 VICT. c. 12)

THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

CHAPTER I

THE PARLIAMENT

PART V-POWERS OF THE PARLIAMENT

*59. Disallowance by the Queen*

The Queen may disallow any law within one year from the Governor-General's assent, and such disallowance on being made known by the Governor-General by speech or message to each of the Houses of the Parliament, or by Proclamation, shall annul the law from the day when the disallowance is so made known.

The one year limitation on disallowance provided in “CONSTITUTION ACT, 59. *Disallowance by the Queen*” does not apply to *illegitimate, unlawful and unconstitutional laws and Acts*: any and all such (*because* illegitimate, unlawful and unconstitutional) are invalid and are thus automatically annulled for repugnance to (63 Vic. No.9) & (63 & 64 VICT. c.12).

(63 & 64 VICT. c. 12)

THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900

CHAPTER V  
THE STATES

*109. Inconsistency of laws*

When a law of a State is inconsistent with a law [(63 Vic. No. 9/63 & 64 VICT. c. 12)] of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

An illegitimate, unlawful and/or unconstitutional law or Act or *convention* does not become any more legitimate, lawful and/or constitutional because it has not been formally annulled – *for what ever reason or convenience or excuse*. It cannot be lawfully or legitimately claimed that “109. *Inconsistency of laws*” only applies to inconsistencies of laws/Acts between State legislation and Laws of the Commonwealth and not to All Laws in the Commonwealth having to accord with Commonwealth Law (63 Vic. No.9) & (63 & 64 VICT. c.12).

As the “*alterable*” Laws and Constitution of the Commonwealth are the Constitution of the Commonwealth which cannot be Legitimately, Lawfully, or Constitutionally altered without strict adherence and obedience to Statutes (e.g., “128 *Mode of altering the Constitution*”), and as the “*un-alterable*” Laws and Constitution of the Commonwealth, which cannot be Legitimately, Lawfully, or Constitutionally altered *cannot be altered* Legitimately, Lawfully, or Constitutionally, any “laws” which are at any time found to be Illegitimate, Unlawful and/or Unconstitutional are *Illegitimate* and are of no effect and are to be *Annulled*.

(63 Vic. No.9)

THE CRIMINAL CODE OF 1899

*5. Provisions of Code exclusive with certain exceptions*

From and after the coming into operation of the Code, no person shall be liable to be tried or punished in Queensland as for an indictable offence except under the express provisions of the Code or some other Statute Law of Queensland, or under the express provisions of some Statute of the United Kingdom which is expressly applied to Queensland, or which is in force in all parts of Her Majesty's Dominions not expressly excepted from its operation, or which authorises the trial and punishment in Queensland of offenders who have at places not in Queensland committed offences against the laws of the United Kingdom.

The "*professional or revolutionary convenience or pretence*" of not knowing what are the Laws and/or Constitution of the Commonwealth, and/or the "*professional or revolutionary convenience*" of concealing the Laws and/or Constitution of the Commonwealth, and/or the "*professional or revolutionary convenience*" of spuriously constructing "laws" which are illegitimate, unlawful and/or unconstitutional, and of concealing that fact they are illegitimate, unlawful and/or unconstitutional constitutes the crime of treason -

(63 Vic. No. 9)  
THE CRIMINAL CODE OF 1899  
PART II-OFFENCES AGAINST PUBLIC ORDER

CHAPTER VI-TREASON AND OTHER OFFENCES AGAINST  
THE SOVEREIGN'S PERSON AND AUTHORITY

37. *Treason*

Any person who-

(1) Kills the Sovereign, or does [Them] any bodily harm tending to [Their] death, or maim[ing] or wounding, or imprisonment or restraint; or

(2) Kills the eldest son and heir-apparent for the time being of the Sovereign, or the Queen Consort of the reigning King; or

(4) Conspires with any other person to kill the Sovereign or to do Her any bodily harm tending to Her death, or maim or wounding, or imprisonment or restraint; or

(5) Levies war against the Sovereign -

(a) With intent to depose the Sovereign from the style, honour, and royal name, of the Imperial Crown of the United Kingdom of Great Britain and Ireland, or of any other of [Their] Majesty's dominions; or

(b) In order by force or constraint to compel the Sovereign to change [Their] measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe, any House of Parliament of any of Her Majesty's dominions; or

(6) Conspires with any other person to levy war against the Sovereign with any such intent or purpose at last aforesaid; or

(7) Instigates any foreigner to make an armed invasion of any part of Her Majesty's dominions; or

(8) Assists by any means whatever any public enemy at war with the Sovereign; or

(9) Violates, whether with her consent or not, a Queen Consort, or the wife of the eldest son and heir-apparent for the time being of the Sovereign;

(3) Forms an intention to do any such act as aforesaid, and manifests such intention by any overt act...

is guilty of a crime, which is called treason, and is liable to imprisonment with hard labour for life...

(63 Vic. No. 9)  
THE CRIMINAL CODE OF 1899  
PART II-OFFENCES AGAINST PUBLIC ORDER

CHAPTER VI-TREASON AND OTHER OFFENCES AGAINST  
THE SOVEREIGN'S PERSON AND AUTHORITY

*38. Concealment of Treason*

**Any person who –**

(1) Becomes an accessory after the fact to treason; or

(2) Knowing that any person intends to commit treason, does not give information thereof with all reasonable despatch to a justice or use other reasonable endeavours to prevent the commission of the crime;

**is guilty of a crime, and is liable to imprisonment with hard labour for life.**

CHAPTER LX-INDICTMENTS

*564. Form of Indictment*

It is sufficient to describe an offence in the words of this Code or of the Statute defining it.

DIVISION II-INJURIES TO PROPERTY

CHAPTER XLV-DEFINITIONS

*459. Acts done with Intent to Defraud*

When an act which causes injury to property, and which would be otherwise lawful, is done with intent to defraud any person, it is unlawful.

When an act which causes injury to property is done with intent to defraud any person, it is immaterial that the property in question is the property of the offender himself.

CHAPTER LXIII-EVIDENCE: PRESUMPTIONS OF FACT

*643. Intention to Defraud*

On the trial of a person charged with any offence of which an intent to injure or deceive or defraud, or an intent to enable another person to deceive or defraud, is an element, it is not necessary to prove an intent to injure or deceive or defraud any particular person, or an intent to enable any particular person to deceive or defraud any particular person.

To this extent, it is permissible to extend the application of Statute 37. *Treason*, s. 5 (b) “In order by force or constraint to compel the Sovereign to change Her measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe, any House of Parliament of any of Her Majesty's dominions” to include “*fraud*” to the (correct) reading:

*“In order by force or constraint [or deception] to compel the Sovereign to change Her measures or counsels, or in order to put any force or constraint [or deceptive influence] upon, or in order to intimidate or overawe, [or defraud] any House of Parliament of any of Her Majesty's dominions”.*

(63 Vic. No. 9)

THE CRIMINAL CODE OF 1899

PART VII-PREPARATION TO COMMIT OFFENCES:

CONSPIRACY: ACCESSORIES AFTER THE FACT

CHAPTER LV-ATTEMPTS AND PREPARATION TO COMMIT OFFENCES

535. *Attempts to Commit Offences*

Any person who attempts to commit any indictable offence is guilty of an indictable offence, which, unless otherwise stated, is a misdemeanour.

When a person who commits an indictable offence is punishable on summary conviction, a person who attempts to commit such an offence may also be summarily convicted.

539. *Attempts to Procure Commission of Criminal Acts*

Any person who attempts to procure another to do any act or make any omission, whether in Queensland or elsewhere, of such a nature that, if the act were done or the omission were made, an offence would thereby be committed under the laws of Queensland [63 Vic. No.9], or the laws in force in the place where the act or omission is proposed to be done or made, whether by himself or by that other person, is guilty of an offence of the same kind and is liable to the same punishment as if he had himself attempted to do the same act or make the same omission in Queensland.

Provided that if the act or omission is proposed to be done or made at a place not in Queensland, the punishment cannot exceed that which he would have incurred under the laws in force where the act or omission was proposed to be done or made, if he had himself attempted to do the proposed act or make the proposed omission.

Provided also that in the last-mentioned case a prosecution cannot be instituted except at the request of the Government of the State having jurisdiction in the place where the act or omission was proposed to be done or made.

CHAPTER LVI-CONSPIRACY

541. *Conspiracy to Commit Crime*

Any person who conspires with another to commit any crime, or to do any act in any part of the world which if done in Queensland would be a crime, and which is an offence under the laws in force in the place where it is proposed to be done, is guilty of a crime, and is liable, if no other punishment is provided, to imprisonment with hard labour for seven years; or, if the greatest punishment to which a person convicted of the crime in question is liable is less than imprisonment with hard labour for seven years, then to such lesser punishment.

(63 Vic. No.9)  
THE CRIMINAL CODE OF 1899

*542. Conspiracy to Commit other Offences*

Any person who conspires with another to commit any offence which is not a crime, or to do any act in any part of the world which if done in Queensland would be an offence but not a crime, and which is an offence under the laws in force in the place where it is proposed to be done, is guilty of a misdemeanour, and is liable to imprisonment with hard labour for three years.

*543. Other Conspiracies*

Any person who conspires with another to effect any of the purposes following, that is to say, —

(1) To prevent or defeat the execution or enforcement of any Statute law;

(2) To cause any injury to the person or reputation of any person, or to depreciate the value of any property of any person; or

(3) To prevent or obstruct the free and lawful disposition of any property by the owner thereof for its fair value; or

(4) To injure any person in his trade or profession; or

(5) To prevent or obstruct, by means of any act or acts which if done by an individual person would constitute an offence on his part, the free and lawful exercise by any person of his trade, profession, or occupation; or

(6) To effect any unlawful purpose; or

(7) To effect any lawful purpose by any unlawful means; is guilty of a misdemeanour, and is liable to imprisonment with hard labour for three years.



**PART VIII-PROCEDURE**

**CHAPTER LX-INDICTMENTS**

*568. Cases in which several Charges may be Joined*

(5) Any number of persons charged with committing or with procuring the commission of the same offence, although at different times, or of being accessories after the fact to the same offence, although at different times, and any number of persons charged with receiving, although at different times, any property which has been obtained by means of a crime or misdemeanour, or by means of an act which if it had been done in Queensland would be a crime or misdemeanour and which is an offence under the laws in force in the place where it was done, or any part of any property so obtained, may be charged with substantive offences in the same indictment, and may be tried together notwithstanding that the principal offender or the person who so obtained the property is not included in the same indictment, or is not amenable to justice.

(6) Any number of persons charged with committing different or separate offences arising substantially out of the same facts or out of closely related facts so that a substantial part of the facts is relevant to all the charges may be charged in the same indictment and tried together.

*569. Accessories*

A person who counsels or procures another person to commit an offence, or who aids another person in committing an offence, or who becomes an accessory after the fact to an offence, may be charged in the same indictment with the principal offender, and may be tried with him or separately, or may be indicted and tried separately, whether the principal offender has or has not been convicted, or is or is not amenable to justice.

**(63 & 64 VICT. c. 12)**

**THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900**

**CHAPTER I**

**THE PARLIAMENT**

**PART V – POWERS OF THE PARLIAMENT**

*58. Royal assent to Bills*

When a proposed law passed by both Houses of the Parliament is presented to the Governor-General for the Queen's assent, he shall declare, according to his discretion, but subject to this Constitution, that he assents in the Queen's name, or that he withholds assent, or that he reserves the law for the Queen's pleasure.



### **Australia Act 1986**

#### **1. Termination of power of Parliament of United Kingdom to legislate for Australia**

No Act of the Parliament of the United Kingdom passed after the commencement of this Act shall extend, or be deemed to extend, to the Commonwealth, to a State or to a Territory as part of the law of the Commonwealth, of the State or of the Territory.

Briefly, and in passing, this (above) *means that* all Acts of the British Parliament Enacted *prior to* the commencement of Australia Act 1986 continue to extend and are deemed to extend to the Commonwealth and its States, Territories and Laws ... While the Termination of *future* British Parliament Legislation for the British possession of the Australian territories-colonies is accomplished in the wording, its purpose is half defeated by its own *spittoon-style* of legislative drafting.

### **Australia Act 1986**

#### **10. Termination of responsibility of United Kingdom Government in relation to State matters**

After the commencement of this Act Her Majesty's Government in the United Kingdom shall have no responsibility for the government of any State.

The context of this does not indicate that the State of the Commonwealth is being referred to. That the constitution of the Parliament of the Commonwealth and THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 are expressly unaffected by the "Act" of 1986 yet the Constitution of the Parliaments of the States is affected by the Act is either a failure of logic (a contradiction) or a piece of Kant designed to deceive.

Some other points that are consistently never considered are the facts that the Parliaments of the Commonwealth are by no means the *whole of government* and that it is not necessary or even appropriate for the Legislature to operate day in and day out to keep themselves in pay and to impose their mercenary ideologies on the Commonwealth for want of anything better to do. **THE CRIMINAL CODE [ACT] OF 1899** *Establishes* the Civil and Criminal Laws and effectively enables the lawfulness of **THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900** *Constitutes* the legitimate Authorities and jurisdictions of the Legitimate Parliaments, the Legitimate Judiciary, the Legitimate High Court, the Legitimate relations between the States of the Commonwealth and the Legislature and Legislation of the Commonwealth.

The *interested* (ideological, party-political) *professionalisation* of the roles of the members and senators of the Parliaments is an *in-version of* the Legitimate Constitution and a *re-version to* the House of Lords style Legislative Council of **THE CONSTITUTION OF 1867**: *professionalised amateurs* are (nominally) *elected* on populist or party-political or other interested bribes, tickets and agendas.



# REVOLUTION 1996

**Antares Martius**  
(Constitutional Analyst)

*As-Established Constitutional Legitimacy*

*versus*

*Unlawful Convention(alisation)*

• • •

"When John Howard became Prime Minister in 1996, he also made changes to the oath and affirmation of office. He combined the oath of office with 'a partial return to the traditional oath of allegiance'... The reference to the Commonwealth of Australia was replaced by reference to 'the people of Australia' and allegiance to the sovereign was reinstated but not to her heirs and successors.

I, [Minister's full name], do swear that I will well and truly serve the people of Australia in the office of [position] and that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second. So help me God!

Affirmation of Office (1996)

I, [Minister's full name], do solemnly and sincerely affirm and declare that I will well and truly serve the people of Australia in the office of [position] and that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second."

[http://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp1314/OathsAffirmationsOathofOffice\(1996\)](http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1314/OathsAffirmationsOathofOffice(1996))

• • •

"The pledge of loyalty taken before the Speaker by a member is as follows:

Under God, I pledge my loyalty to Australia and to the people of New South Wales.

A member may omit the words "Under God" when taking the pledge of loyalty.

The oath of allegiance is in the following form (with the name of the reigning Sovereign substituted, where appropriate):

I swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Her Heirs and Successors according to law. So help me God.

A member may, instead of taking an oath of allegiance, make an affirmation to the same effect."

[https://www.parliament.nsw.gov.au/prod/la/precedent.nsf/0/B7EBD086A0BB5DDDC257A6E000613A4/\\$file/Chapter%206%20Members.pdf](https://www.parliament.nsw.gov.au/prod/la/precedent.nsf/0/B7EBD086A0BB5DDDC257A6E000613A4/$file/Chapter%206%20Members.pdf)

• • •

## Examples of Oaths/Affirmations Sworn

"[Under God,] I pledge my loyalty to Australia and to the people of New South Wales. I swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Her heirs and successors according to law. So help me God."

[[https://www.parliament.nsw.gov.au/prod/la/precedent.nsf/0/B7EBD086A0BB5DDDC257A6E000613A4/\\$file/Chapter%206%20Members.pdf](https://www.parliament.nsw.gov.au/prod/la/precedent.nsf/0/B7EBD086A0BB5DDDC257A6E000613A4/$file/Chapter%206%20Members.pdf)]

or

"In taking his oath of office, Mr Abbott said:

I swear that I will well and truly serve the people of Australia and that I will be faithful and bear true allegiance to her majesty Queen Elizabeth the Second, Queen Of Australia."  
[<http://www.irishecho.com.au/2013/09/18/pm-abbott-sworn-in-on-royal-oath/28902>]

or

"I, Malcolm Bligh Turnbull, do swear that I will well truly serve the people of Australia, the office of prime minister and that I will be faithful and bear true allegiance to Her Majesty, Queen Elizabeth II, the Queen of Australia, so help me, God."  
[<http://www.ibtimes.co.uk/australia-malcolm-turnbull-sworn-prime-minister-after-ousting-tony-abbott-1519771>]

• • •

The forms of oaths-affirmations (page immediately preceding) cannot be considered as constitutionally valid or even lawful to the extent that they deviate from the Constituted Schedule, and are *conventionalised* for further unlawful repetition, although this is not to excuse criminal activity, as we shall see.

Under the terms of (63 Vic.No.9) THE CRIMINAL CODE, 1899 and the **Commonwealth of Australia Constitution Act (63 & 64 VICT. c.12)** they cannot be considered as sincere or faithful or loyal: at best they are disingenuous, at worst they are treacherous;

*firstly*, because they omit reference to the Heirs and Successors of the Monarch which are *Enacted* as follows —

(63 & 64 VICT. c. 12)  
**THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900**  
[Enacted, Established 9 July, 1900]

*2. Act to extend to the Queen's successors.*

The provisions of this Act referring to the Queen shall extend to Her Majesty's heirs and successors in the sovereignty of the United Kingdom.

*secondly*, on account of their deviation from what is prescribed, as though the swearing-affirming of the Oath-Affirmation had less import than who won at the cricket;

*thirdly*, because they omit reference to serving the law (by which can only be meant the Constituted and Constitutional Law of the Commonwealth (of Queensland/Australia);

*fourthly*, because they are arbitrary and conventionalised arbitrariness : by implication, now anyone can say whatever they like, BECAUSE none of it has any meaning— as established by mere and unlawful convention ... to conventionalise such and allow for its perpetuation without authority is Treason by the terms of the Law of the Commonwealth. A lesser charge also applies to this —

(63 Vic. No.9)  
THE CRIMINAL CODE, 1899

CHAPTER XIII-CORRUPTION AND ABUSE OF OFFICE

**96. *False Assumption of Authority***

Any person who –

(1) Not being a justice assumes to act as a justice; or

(2) Without authority assumes to act as a person having authority by law to administer an oath or take a solemn declaration or affirmation or affidavit, or to do any other act of a public nature which can only be done by persons authorised by law to do so; or

(3) Represents himself to be a person authorised by law to sign a document testifying to the contents of any register or record kept by lawful authority, or testifying to any fact or event, and signs such document as being so authorised, when he is not, and knows that he is not, in fact, so authorised;

is guilty of a misdemeanour, and is liable to imprisonment with hard labour for three years.

The Un-Constitutionally and thus Unlawfully sworn/affirmed *conventionalised* Oaths-Affirmations of the members of the House(s) of Representatives and Senators of the Commonwealth and States and Territories, include (by their own contrivance) further obligations upon the aforesaid which further increase the onerous nature of their responsibilities and which, for having been sworn-affirmed, are no less binding than to the Oaths-Affirmations that they are obliged and bound by law to uphold: they so-sworn are now obligated to serve the People of the Commonwealth, the People of the State and/or Territory which they claim to “represent”. (It does no do to, for example, to sincerely, truthfully, faithfully swear-affirm loyal allegiance to the Persons of the Commonwealth and/or colony-State and/or Territory and *then talk about* serving the special interests of one’s “constituents” at the apparent expense of all of the aforesaid.

Consitutionality is not maintained by making Unconstitutional(ising) changes to the Constitution, and any aspect of conventionalised laws and acts which is not in strict accord with the originary Constitution (THE CRIMINAL CODE ACT, 1899 (63 Vic.No.9) and the COMMONWEALTH CONSTITUTION ACT (63 & 64 VICT. c.12) is able to be “Abolished” (to use the Murdoch’s criminal term).

For an item to appear in the Constitution bearing the intention of the words, “until such time as the Parliament otherwise provides” does not mean that it is Lawful or Constitutional to simply or according to ones interests to make up some allowance to satisfy such interests. It must also be Re-Constituted back into the Constitution itself following the specific Lawful, Constitutional means for doing so –

Even if one such swears-affirms Allegiance with different verbiage and/or an intention not inclusive of the entire contents of the Constituted Schedule, one is still obligated by law to uphold the Constituted Law (Service to the Crown) and as Ignorance of the Law is No Excuse.

If one was to swear-affirm Allegiance with an intention opposite or antithetical to the Constituted and Lawful Obligation of Office, then one would be swearing-affirming a False Oath-Affirmation which is a Crime in the senses claiming to be qualified for office when one is not, in the sense of Perjury, in the senses of treason and fraud.

#### **EVIDENCE ACT 1995**

An Act about the law of evidence, and for related purposes

Division 2—Oaths and affirmations

#### **24. Requirements for oaths**

- (1) It is not necessary that a religious text be used in taking an oath.
- (2) An oath is effective for the purposes of this Division even if the person who took it:
  - (a) did not have a religious belief or did not have a religious belief of a particular kind; or
  - (b) did not understand the nature and consequences of the oath.

And if one did not execute one's Lawful Constitutional Duties and/or Obligations for whatever excuse, one would be disqualifiable from sitting in the Parliaments and would be liable to Criminal Litigation for swearing a false oath and for acts of treason.

Now, this must mean that one is a true subject of the Crown and genuine Person of the Commonwealth, that one knows the Laws of the land and is sworn to obey and not sabotage those laws, that one is qualified to hold office, that one is in fact capable and qualified *to make laws for the good government* of the Commonwealth, and that one is not motivated by drives which would tend to indicate being unfit to hold a position of profit under the Crown and the lawful duties and responsibilities that one is thereby and deliberately taking on.



CHAPTER 6  
MEMBERS' PLEDGE OF LOYALTY OR OATH OF ALLEGIANCE,  
ROLL, LEAVE OF ABSENCE (c. 2012)

**6.1 Members' Pledge of Loyalty**

The procedure for members to make the pledge of loyalty or take the oath of allegiance at the commencement of a Parliament is outlined in Chapter 4 of Part One.

New members are advised to make an appointment with the Clerk to discuss the legal and procedural requirements of taking a seat in the House.

Early in the days of a new Parliament separate commissions are issued by the Governor to occupants of the positions of the Speaker, Deputy Speaker and the Assistant Speaker, enabling them to administer the pledge of loyalty or oath of allegiance to any members who may be elected during that Parliament.

A member cannot sit or vote until he or she has taken the pledge of loyalty or oath of allegiance in accordance with section 12 of the *Constitution Act 1902*.<sup>1</sup>

After a by-election, the procedure on the day the member takes the pledge of loyalty or oath of allegiance (usually the first day the House sits after the return of the writ) is that:

(1) The Speaker informs the House that the writ for election of a member for the electoral district has been returned and names the member elected.

(2) The Clerk announces the member's name and the member is conducted into the Chamber (through the northern side door) escorted by members (usually the party leader and one other) to the foot of the Table) where they nod obeisance to the Speaker prior to walking up to the Speaker's Chair. The Speaker hands the member the form of the pledge of loyalty or oath of allegiance.

(3) The member must take the pledge of loyalty or an oath of allegiance prior to signing the form, which is then witnessed by the Speaker.

(4) The member then signs the Roll with their full name (no initials). The member's address is transcribed from the writs.

...

The pledge of loyalty taken before the Speaker by a member is as follows:

**"Under God, I pledge my loyalty to Australia and to the people of New South Wales."**

A member may omit the words "Under God" when taking the pledge of loyalty.

The oath of allegiance is in the following form (with the name of the reigning Sovereign substituted, where appropriate):

**"I swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II,  
Her heirs and successors according to law.  
So help me God."**

A member may, instead of taking an oath of allegiance, make an affirmation to the same effect.

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This *optionalisation* of the swearing of Scheduled Oath of Allegiance (into the Oath of Allegiance OR the “pledge of loyalty”) is unlawful and pretends to normalise the fact that people who have no lawful place in Her Majesty’s Parliaments now occupy those illegitimate parliaments. Interested convention is not lawful “because not unlawful” as the criminal revolutionaries would have people think.

(63 Vic. No.9)  
THE CRIMINAL CODE, 1899

CHAPTER V-CRIMINAL RESPONSIBILITY

*22. Ignorance of the Law: Bona fide Claim of Right*

Ignorance of the law does not afford any excuse for an act or omission which would otherwise constitute an offence, unless knowledge of the law by the offender is expressly declared to be an element of the offence.

CHAPTER XLIIA.-SECRET COMMISSIONS

*442M. (1) Custom of itself no defence*

In any prosecution under this Chapter it does not amount to a defence to show that the receiving, soliciting, giving, or offering of any valuable consideration therein mentioned or referred to is customary in any trade, business, or calling.

PART VIII-PROCEDURE

CHAPTER LX-INDICTMENTS

*568. Cases in which several charges may be joined*

(5) Any number of persons charged with committing or with procuring the commission of the same offence, although at different times, or of being accessories after the fact to the same offence, although at different times, and any number of persons charged with receiving, although at different times, any property which has been obtained by means of a crime or misdemeanour, or by means of an act which if it had been done in Queensland would be a crime or misdemeanour and which is an offence under the laws in force in the place where it was done, or any part of any property so obtained, may be charged with substantive offences in the same indictment, and may be tried together notwithstanding that the principal offender or the person who so obtained the property is not included in the same indictment, or is not amenable to justice.

(6) Any number of persons charged with committing different or separate offences arising substantially out of the same facts or out of closely related facts so that a substantial part of the facts is relevant to all the charges may be charged in the same indictment and tried together.



# REVOLUTION 2012

**Antares Martius**  
(Constitutional Analyst)

(2019)

(63 Vic. No.9)  
THE CRIMINAL CODE, 1899

**INTERPRETATION: APPLICATION: GENERAL PRINCIPLES**  
**CHAPTER I-INTERPRETATION**

**2. Definition of Offence**

*An act or omission which renders the person doing the act or making the omission liable to punishment is called an offence.*

**4. Attempts to commit Offences**

*When a person, intending to commit an offence, begins to put his intention into execution by means adapted to its fulfilment, and manifests his intention by some overt act, but does not fulfil his intention to such an extent as to commit the offence, he is said to attempt to commit the offence.*

*It is immaterial, except so far as regards punishment, whether the offender does all that is necessary on his part for completing the commission of the offence, or whether the complete fulfilment of his intention is prevented by circumstances independent of his will, or whether he desists of his own motion from the further prosecution of his intention.*

*It is immaterial that by reason of circumstances not known to the offender it is impossible in fact to commit the offence.*

*The same facts may constitute one offence and an attempt to commit another offence.*

**CHAPTER V-CRIMINAL RESPONSIBILITY**

**22. Ignorance of the Law: Bona fide Claim of Right**

*Ignorance of the law does not afford any excuse for an act or omission which would otherwise constitute an offence, unless knowledge of the law by the offender is expressly declared to be an element of the offence.*

*But a person is not criminally responsible, as for an offence relating to property, for an act done or omitted to be done by him with respect to any property in the exercise of an honest claim of right and without intention to defraud.*

**23. Intention: Motive**

*Subject to the express provisions of this Code relating to negligent acts and omissions, a person is not criminally responsible for an act or omission which occurs independently of the exercise of his will, or for an event which occurs by accident.*

*Unless the intention to cause a particular result is expressly declared to be an element of the offence constituted, in whole or part, by an act or omission, the result intended to be caused by an act or omission is immaterial.*

*Unless otherwise expressly declared, the motive by which a person is induced to do or omit to do an act, or to form an intention, is immaterial so far as regards criminal responsibility.*

**34. Offences by Partners and Members of Companies with respect to Partnership or Corporate Property**

*A person who, being a member of a co-partnership, corporation, or joint stock company, does or omits to do any act with respect to the property of the co-partnership, corporation, or company, which, if he were not a member of the co-partnership, corporation, or company, would constitute an offence, is criminally responsible to the same extent as if he were not such member.*

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**CHAPTER II – PARTIES TO OFFENCES**

**7. Principal Offender**

*When an offence is committed, each of the following persons is deemed to have taken part in committing the offence and to be guilty of the offence, and may be charged with actually committing it, that is to say –*

- (a) Every person who actually does the act or makes the omission which constitutes the offence;*
- (b) Every person who does or omits to do any act for the purpose of enabling or aiding another person to commit the offence;*
- (c) Every person who aids another person in committing the offence;*
- (d) Any person who counsels or procures any other person to commit the offence.*

*In the fourth case he may be charged either with himself committing the offence or with counselling or procuring its commission.*

*A conviction of counselling or procuring the commission of an offence entails the same consequences in all respects as a conviction of committing the offence.*

*Any person who procures another to do or omit to do any act of such a nature that, if he had himself done the act or made the omission, the act or omission would have constituted an offence on his part, is guilty of an offence of the same kind, and is liable to the same punishment, as if he had himself done the act or made the omission; and he may be charged with himself doing the act or making the omission.*

**8. Offences committed in prosecution of Common Purpose**

*When two or more persons form a common intention to prosecute an unlawful purpose in conjunction with one another, and in the prosecution of such purpose an offence is committed of such a nature that its commission was a probable consequence of the prosecution of such purpose, each of them is deemed to have committed the offence.*

**9. Mode of Execution Immaterial**

*When a person counsels another to commit an offence, and an offence is actually committed after such counsel by the person to whom it is given, it is immaterial whether the offence actually committed is the same as that counselled or a different one, or whether the offence is committed in the way counselled, or in a different way, provided in either case that the facts constituting the offence actually committed are a probable consequence of carrying out the counsel.*

*In either case the person who gave the counsel is deemed to have counselled the other person to commit the offence actually committed by him.*

**10. Accessories after the Fact**

*A person who receives or assists another who is, to his knowledge, guilty of an offence, in order to enable him to escape punishment, is said to become an accessory after the fact to the offence.*

(63 Vic. No.9)  
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PART I-INTRODUCTORY  
Interpretation: Application: General Principles  
CHAPTER I-INTERPRETATION

*Construction of Terms*

1. In this **Code**, unless the context otherwise indicates – ...

The term “**circumstance of aggravation**” means and includes any circumstance by reason whereof an offender is liable to a greater punishment than that to which he would be liable if the offence were committed without the existence of that circumstance;

The term “**company**” means an incorporated company;

The term “**criminally responsible**” means liable to punishment as for an offence; and the term “criminal responsibility” means liability to punishment as for an offence;

The term “**Crown Law Officer**” means the Attorney-General or Solicitor-General;

The term “**have in possession**” includes having under control in any place whatever, whether for the use or benefit of the person of whom the term is used or of another person, and although another person has the actual possession or custody of the thing in question;

The term “**indictment**” means a written charge preferred against an accused person in order to his trial before some court other than justices exercising summary jurisdiction;

The term “**liable**” used alone, means liable on conviction upon indictment;

The term “**person**” and “**owner**” and other like terms, when used with reference to property, include corporations of all kinds, and any other associations of persons capable of owning property: They also, when so used, include Her Majesty;

The term “**person employed in the Public Service**” includes officers and men of the Defence Force and police officers, and persons employed to execute any process of a court of justice: It also includes the Commissioner for Railways, and persons employed by him;

The term “**police officer**” includes any constable or officer of police;

The term “**property**” includes every thing, animate or inanimate, capable of being the subject of ownership;

The term “**utter**” means and includes using or dealing with, and attempting to use or deal with, and attempting to induce any person to use, deal with, or act upon, the thing in question;

The term “**knowingly**” used in connection with any term denoting uttering or using, implies knowledge of the character of the thing uttered or used;

CHAPTER LX-INDICTMENTS

564. Form of Indictment

*It is sufficient to describe an offence in the words of this Code or of the Statute defining it.*

566. Particular Indictments

(14) In an indictment against a person employed in the Public Service for an offence committed with respect to anything which came into his possession by virtue of his employment, the thing in question may be described as the property of Her Majesty.



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**PART VII-PREPARATION TO COMMIT OFFENCES:  
CONSPIRACY: ACCESSORIES AFTER THE FACT**

**CHAPTER LV-ATTEMPTS AND PREPARATION TO COMMIT OFFENCES**

**535. Attempts to Commit Offences**

*Any person who attempts to commit any indictable offence is guilty of an indictable offence, which, unless otherwise stated, is a misdemeanour. When a person who commits an indictable offence is punishable on summary conviction, a person who attempts to commit such an offence may also be summarily convicted.*

**CHAPTER LVI-CONSPIRACY**

**541. Conspiracy to Commit Crime**

*Any person who conspires with another to commit any crime, or to do any act in any part of the world which if done in Queensland would be a crime, and which is an offence under the laws in force in the place where it is proposed to be done, is guilty of a crime, and is liable, if no other punishment is provided, to imprisonment with hard labour for seven years; or, if the greatest punishment to which a person convicted of the crime in question is liable is less than imprisonment with hard labour for seven years, then to such lesser punishment.*

**542. Conspiracy to Commit other Offences**

*Any person who conspires with another to commit any offence which is not a crime, or to do any act in any part of the world which if done in Queensland would be an offence but not a crime, and which is an offence under the laws in force in the place where it is proposed to be done, is guilty of a misdemeanour, and is liable to imprisonment with hard labour for three years.*

**543. Other Conspiracies**

*Any person who conspires with another to effect any of the purposes following, that is to say –*

- (1) To prevent or defeat the execution or enforcement of any Statute law;*
- (2) To cause any injury to the person or reputation of any person, or to depreciate the value of any property of any person; or*
- (3) To prevent or obstruct the free and lawful disposition of any property by the owner thereof for its fair value; or*
- (4) To injure any person in his trade or profession; or*
- (5) To prevent or obstruct, by means of any act or acts which if done by an individual person would constitute an offence on his part, the free and lawful exercise by any person of his trade, profession, or occupation; or*
- (6) To effect any unlawful purpose; or*
- (7) To effect any lawful purpose by any unlawful means;*

*is guilty of a misdemeanour, and is liable to imprisonment with hard labour for three years.*

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**CHAPTER VIII—OFFENCES AGAINST THE EXECUTIVE AND LEGISLATIVE POWER**

**54. Interference with Governor or Ministers**

*Any person who advisedly —*

*(1) Does any act calculated to interfere with the free exercise by the Governor of the duties or authority of his office;*  
*or*

*(2) Does any act calculated to interfere with the free exercise by a member of the Executive Council of the duties or authority of his office as a member of the Executive Council or as a minister of State;*  
*is guilty of a misdemeanour, and is liable to imprisonment for three years.*

*The offender may be, and it is hereby declared that he always was liable to be, arrested without warrant.*

**55. Interference with the Legislature**

*Any person who advisedly, by force or fraud, interferes or attempts to interfere with the free exercise by either House of Parliament of their authority, or with the free exercise by any member of either House of his duties or authority as such member, or as a member of a Committee of either House, or of a joint Committee of both Houses, is guilty of a misdemeanour, and is liable to imprisonment for three years. The offender may be, and it is hereby declared always was liable to be, arrested without warrant.*

**57. False Evidence before Parliament**

*Any person who in the course of an examination before either House of Parliament, or before a Committee of either House, or before a joint Committee of both Houses, knowingly gives a false answer to any lawful and relevant question put to him in the course of the examination is guilty of a crime, and is liable to imprisonment with hard labour for seven years.*

**CHAPTER XVI—OFFENCES RELATING TO THE ADMINISTRATION OF JUSTICE**

**132. Conspiring to Defeat Justice**

*Any person who conspires with another to obstruct, prevent, pervert, or defeat, the course of justice is guilty of a crime, and is liable to imprisonment with hard labour for seven years.*  
*The offender cannot be arrested without warrant.*

**140. Attempting to Pervert Justice**

*Any person who attempts, in any way not specially defined in this Code, to obstruct, prevent, pervert, or defeat, the course of justice is guilty of a misdemeanour, and is liable to imprisonment with hard labour for two years.*

**CHAPTER XX—MISCELLANEOUS OFFENCES AGAINST PUBLIC AUTHORITY**

**200. Refusal by Public Officer to Perform Duty**

*Any person who, being employed in the Public Service, or as an officer of any court or tribunal, perversely and without lawful excuse omits or refuses to do any act which it is his duty to do by virtue of his employment is guilty of a misdemeanour, and is liable to, imprisonment for two years, and to be fined at the discretion of the Court.*

**204. Disobedience to Statute Law**

*Any person who without lawful excuse, the proof of which lies on him, does any act which he is, by the provisions of any Public Statute in force in Queensland, forbidden to do, or omits to do any act which he is, by the provisions of any such Statute, required to do, is guilty of a misdemeanour, unless some mode of proceeding against him for such disobedience is expressly provided by Statute, and is intended to be exclusive of all other punishment. The offender is liable to imprisonment for one year.*

**(63 Vic. No.9)**  
**THE CRIMINAL CODE, 1899**

**CHAPTER XIII – CORRUPTION AND ABUSE OF OFFICE**

**87. Official Corruption**

*Any person who –*

*(1) Being employed in the Public Service, or being the holder of any public office, and being charged with the performance of any duty by virtue of such employment or office, not being a duty touching the administration of justice, corruptly asks, receives, or obtains, or agrees or attempts to receive or obtain, any property or benefit of any kind for himself or any other person on account of any thing already done or omitted to be done, or to be afterwards done or omitted to be done, by him in the discharge of the duties of his office; or*

*(2) Corruptly gives, confers, or procures, or promises or offers to give or confer, or to procure or attempt to procure, to, upon, or for, any person employed in the Public Service, or being the holder of any public office, or to, upon, or for, any other person, any property or benefit of any kind on account of any such act or omission on the part of the person so employed or holding such office; is guilty of a crime, and is liable to imprisonment with hard labour for seven years, and to be fined at the discretion of the Court.*

*The offender cannot be arrested without warrant.*

**91. False Claims by Officials**

*Any person who, being employed in the Public Service in such a capacity as to require him or to enable him to furnish returns or statements touching any remuneration payable or claimed to be payable to himself or to any other person, or touching any other matter required by law to be certified for the purpose of any payment of money or delivery of goods to be made to any person, makes a return or statement touching any such matter which is, to his knowledge, false in any material particular, is guilty of a misdemeanour, and is liable to imprisonment with hard labour for three years.*

**92. Abuse of Office**

*Any person who, being employed in the Public Service, does or directs to be done, in abuse of the authority of his office, any arbitrary act prejudicial to the rights of another is guilty of a misdemeanour, and is liable to imprisonment for two years. If the act is done or directed to be done for purposes of gain, he is liable to imprisonment with hard labour for three years.*

**92A. Misconduct in relation to public office**

*(1) A public officer who, with intent to dishonestly gain a benefit for the officer or another person or to dishonestly cause a detriment to another person*

*(a) deals with information gained because of office; or*

*(b) performs or fails to perform a function of office; or*

*(c) without limiting paragraphs (a) and (b), does an act or makes an omission in abuse of the authority of office; is guilty of a crime. Maximum penalty 7 years imprisonment.*

**CRIMES ACT 1914**  
**Part IAB—Controlled operations**  
**Division 1—Preliminary**

**15GE What is a serious Commonwealth offence or a serious State offence that has a federal aspect?**

(1) For the purposes of this Part, **serious Commonwealth offence** means an offence against a law of the Commonwealth:

(a) that involves theft, fraud, tax evasion, currency violations, controlled substances, illegal gambling, obtaining financial benefit by vice engaged in by others, extortion, money laundering, perverting the course of justice, bribery or corruption of, or by, an officer of the Commonwealth, an officer of a State or an officer of a Territory, bankruptcy and company violations, harbouring of criminals, forgery including forging of passports, armament dealings, illegal importation or exportation of fauna into or out of Australia, espionage, sabotage or threats to national security, misuse of a computer or electronic communications, people smuggling, slavery, piracy, the organisation, financing or perpetration of sexual servitude or child sex tourism, dealings in child pornography or material depicting child abuse, importation of prohibited imports or exportation of prohibited exports, or that involves matters of the same general nature as one or more of the foregoing or that is of any other prescribed kind; and

(b) that is punishable on conviction by imprisonment for a period of 3 years or more.

(2) For the purposes of this Part, **serious State offence that has a federal aspect** means a State offence that has a federal aspect and that has the characteristics of a serious Commonwealth offence.

**Division 1—Explanation of expressions used**  
**23WA Definitions**

(1) In this Part:

**indictable offence** means:

(a) an indictable offence against a law of the Commonwealth; or

(b) a State offence that has a federal aspect and that is an indictable offence against the law of that State.

**serious offence** means [:]

an offence under a law of the Commonwealth, or a State offence that has a federal aspect, punishable by a maximum penalty of imprisonment for life or 5 or more years.

**suspect**, in relation to an indictable offence, means:

(a) a person whom a constable suspects on reasonable grounds has committed the indictable offence;

(b) a person charged with the indictable offence; or

(c) a person who has been summonsed to appear before a court in relation to the indictable offence [...]

**Crimes Act 1958**

An Act to consolidate the Law Relating to Crimes and Criminal Offenders

**2A Definitions**

**incite** includes command, request, propose, advise, encourage or authorize...

**Criminal Code (Theft, Fraud, Bribery and Related Offences) Amendment Act 2004**  
**A2004-15**

**Part 3.4 False or misleading statements, information and documents**

**338. Giving false or misleading information**

- (1) A person commits an offence if –
- (a) the person gives information to someone else; and
  - (b) the information is false or misleading; and
  - (c) the person knows that the information –
    - (i) is false or misleading; or
    - (ii) omits anything without which the information is false or misleading; and
  - (d) any of the following applies:
    - (i) the person to whom the information is given is the Territory;
    - (ii) the person to whom the information is given is a person who is exercising a function under a Territory law;
    - (iii) the information is given in compliance or purported compliance with a Territory law.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

- (2) Absolute liability applies to subsection (1) (d) (i), (ii) and (iii).

(3) Subsections (1) (b) and (1) (c) (i) do not apply if the information is not false or misleading in a material particular.

(4) Subsections (1) (b) and (1) (c) (ii) do not apply if the omission does not make the information misleading in a material particular.

(5) Subsection (1) (d) (i) does not apply if, before the information was given by the person to the Territory, the Territory did not take reasonable steps to tell the person about the existence of the offence against subsection (1).

(6) Subsection (1) (c) (ii) does not apply if, before the information was given by a person (A) to the person mentioned in that subparagraph (B), B did not take reasonable steps to tell A about the existence of the offence against subsection (1).

- (7) For subsections (5) and (6), it is sufficient if the following form of words is used:

Giving false or misleading information is a serious offence’.

- (8) In this section: Territory – see section 319.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

- (2) Subsection (1) (b) and (c) does not apply if the document is not false or misleading in a material particular.

(3) Subsection (1) does not apply to a person who produces a document if the document is accompanied by a signed statement –

(a) stating that the document is, to the signing person’s knowledge, false or misleading in a material particular; and

(b) setting out, or referring to, the material particular in which the document is, to the signing person’s knowledge, false or misleading.

- (4) The statement under subsection (3) must be signed by –

(a) the person; or

(b) if the person who produces the document is a corporation – a competent officer of the corporation.

**374. Alternative verdicts – making false or misleading statements**

(1) This section applies if, in a prosecution for an offence against section 337 (1) (Making false or misleading statements), the trier of fact is not satisfied that the defendant committed the offence but is satisfied beyond reasonable doubt that the defendant committed an offence against section 337 (3).

(2) The trier of fact may find the defendant guilty of the offence against section 337 (3), but only if the defendant has been given procedural fairness in relation to that finding of guilt.

In the year 2012, the Institute of Public Affairs (IPA) published two lists of “policies” for the Liberal Party of Australia’s so called “Federal Executive” with which to “*radically transform*” Australia.

The publications in question ([1345447840\\_document\\_be\\_like\\_gough.pdf](#) and [1351736776\\_document\\_25\\_more\\_ideas.pdf](#)) are purportedly authored by and/or attributed to John Roskam, Chris Berg and James Paterson of the IPA in August and October of 2012, respectively.

The contents of these IPA *hit lists* are *incitements to revolution and treason and sabotage* against the Crown, Sovereign Laws and Constitution of the Commonwealth, and form one hundred (point-form) incitements to that end. It is reasonably suspected that the published IPA *hit list* is part of a much larger agenda which is evidenced by the activities of the members and senators of the Parliament(s) of the Commonwealth in the execution of their instructions.

The Institute of Public Affairs is neither any Department of the Governments of the Commonwealth nor any elected or authorised body. The incitements and the executions thereof cannot be justified by any legitimate law, as, by every statutory Criminal and Constitutional definition, the incitements-executions are criminal offences and attacks on the integrity of the Constitution and Laws. The “business” of the Parliaments since 2012 has been the implementation and execution of the *hit list*.

The Federal Executive of the Liberal Party of Australia is the intended executive of these incitements, but as matters have developed and played out since then, all members and senators of the Parliaments have assisted in the facilitation of these directives or instructions to destroy the Commonwealth and are thus all equally guilty of the same crimes.

(63 Vic. No.9)  
THE CRIMINAL CODE, 1899  
PART II—OFFENCES AGAINST PUBLIC ORDER

CHAPTER VI—TREASON AND OTHER OFFENCES AGAINST  
THE SOVEREIGN'S PERSON AND AUTHORITY

37. *Treason*

*Any person who—*

- (1) Kills the Sovereign, or does Her any bodily harm tending to Her death, or maim or wounding, or imprisonment or restraint; or
- (2) Kills the eldest son and heir-apparent for the time being of the Sovereign, or the Queen Consort of the reigning King; or
- (3) Forms an intention to do any such act as aforesaid, and manifests such intention by any overt act; or
- (4) Conspires with any other person to kill the Sovereign or to do Her any bodily harm tending to Her death, or maim or wounding, or imprisonment or restraint; or
- (5) Levies war against the Sovereign—
  - (a) With intent to depose the Sovereign from the style, honour, and royal name, of the Imperial Crown of the United Kingdom of Great Britain and Ireland, or of any other of Her Majesty's dominions; or
  - (b) In order by force or constraint to compel the Sovereign to change Her measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe, any House of Parliament of any of Her Majesty's dominions; or
- (6) Conspires with any other person to levy war against the Sovereign with any such intent or purpose at last aforesaid; or
- (7) Instigates any foreigner to make an armed invasion of any part of Her Majesty's dominions; or
- (8) Assists by any means whatever any public enemy at war with the Sovereign; or
- (9) Violates, whether with her consent or not, a Queen Consort, or the wife of the eldest son and heir-apparent for the time being of the Sovereign;

*is guilty of a crime, which is called treason, and is liable to imprisonment with hard labour for life, which cannot be mitigated* or varied under section nineteen of this Code.

38. *Concealment of Treason*

*Any person who—*

- (1) Becomes an accessory after the fact to treason; or
- (2) Knowing that any person intends to commit treason, does not give information thereof with all reasonable despatch to a justice or use other reasonable endeavours to prevent the commission of the crime;

*is guilty of a crime, and is liable to imprisonment with hard labour for life.*



**CRIMES ACT 1914**  
An Act relating to Offences against the Commonwealth  
*Part II-Offences against the Government*

**24AA Treachery**

(1) *A person shall not:*

(a) **do any act or thing with intent:**

(i) to overthrow [or undermine] the Constitution of the Commonwealth by **revolution or sabotage**; or

(ii) to overthrow by force or violence [or fraud] the established government of the Commonwealth, of a State or of a proclaimed country;...

(3) *A person who contravenes a provision of this section commits an indictable offence, called treachery.*

*Penalty: Imprisonment for life.*

**<http://www.ipa.org.au/about>** (from July 2016)

#### About us

The Institute of Public Affairs is an independent, non-profit public policy think tank, dedicated to preserving and strengthening the foundations of economic and political freedom.

Since 1943, the IPA has been at the forefront of the political and policy debate, defining the contemporary political landscape.

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The IPA supports the free market of ideas, the free flow of capital, a limited and efficient government, evidence-based public policy, the rule of law, and representative democracy. Throughout human history, these ideas have proven themselves to be the most dynamic, liberating and exciting. Our researchers apply these ideas to the public policy questions which matter today.

The IPA's specific research areas include the environment, deregulation, workplace relations, energy, political governance, intellectual property, telecommunications, technology, housing, education, health and agriculture.

The IPA publishes a wide variety of research papers and supporting opinion pieces, as well as host conferences and lectures across the country. The IPA also publishes the IPA Review, Australia's longest running political magazine. In 2008, the IPA Review was awarded the Sir Anthony Fisher Memorial Award for best magazine.

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(July 2016)

[Transcript]

To be a transformative prime minister, Tony Abbott needs to learn from Gough Whitlam and go radical early, say **John Roskam, James Paterson and Chris Berg**.

If Tony Abbott wants to leave a lasting impact and secure his place in history-he needs to take his inspiration from Australia's most left-wing prime minister.

No prime minister changed Australia more than Gough Whitlam. The key is that he did it in less than three years. In a flurry of frantic activity, Whitlam established universal healthcare, effectively nationalised higher education with free tuition, and massively increased public sector salaries. He more than doubled the size of cabinet from 12 ministers to 27.

He enacted an ambitious cultural agenda that continues to shape Australia to this day. In just three years, Australia was given a new national anthem, ditched the British honours system, and abolished the death penalty and national service. He was the first Australian prime minister to visit communist China and he granted independence to Papua New Guinea. Whitlam also passed the *Racial Discrimination Act*. He introduced no-fault divorce.

Perhaps his most lasting legacy has been the increase in the size of government he bequeathed to Australia. When Whitlam took office in 1972, government spending as a percentage of GDP was just 19 per cent. When he left office it had soared to almost 24 per cent.

Virtually none of Whitlam's signature reforms were repealed by the Fraser government. The size of the federal government never fell back to what it was before Whitlam. Medicare remains. The *Racial Discrimination Act*-rightly described by the Liberal Senator Ivor Greenwood in 1975 as 'repugnant to the rule of law and to freedom of speech'-remains.

It wasn't as if this was because they were uncontroversial. The Liberal opposition bitterly fought many of Whitlam's proposals. And it wasn't as if the Fraser government lacked a mandate or a majority to repeal them. After the 1975 election, in which he earned a 7.4 per cent two-party preferred swing, Fraser held 91 seats out of 127 in the House of Representatives and a Senate majority.

When Mark Steyn visited Australia recently he described political culture as a pendulum. Left-wing governments swing the pendulum to the left. Right of centre governments swing the pendulum to the right. But left-wing governments do so with greater force. The pendulum always pushes further left.

And the public's bias towards the status quo has a habit of making even the most radical policy (like Medicare, or restrictions on freedom of speech) seem normal over time. Despite the many obvious problems of socialised health care, no government now would challenge the foundations of Medicare as the Coalition did before it was implemented.

Every single opinion poll says that Tony Abbott will be Australia's next prime minister. He might not even have to wait until the current term of parliament expires in late 2013. The Gillard government threatens to collapse at any moment. Abbott could well be in the Lodge before Christmas this year.

Abbott could also have a Fraser-esque majority after the next election. Even if he doesn't control the Senate, the new prime minister is likely to have an intimidating mandate from the Australian people. The conditions will suit a reformer: although Australia's economy has proven remarkably resilient, global events demonstrate how fragile it is. The global financial crisis, far from proving to be a crisis of capitalism, has instead demonstrated the limits of the state. Europe's bloated and debt-ridden governments provide ample evidence of the dangers of big government.

Australia's ageing population means the generous welfare safety net provided to current generations will be simply unsustainable in the future. As the Intergenerational Report produced by the federal Treasury shows, there were 7.5 workers in the economy for every non-worker aged over 65 in 1970. In 2010 that figure was 5. In 2050 it will be 2.7. Government spending that might have made sense in 1970 would cripple the economy in 2050. Change is inevitable.

But if Abbott is going to lead that change he only has a tiny window of opportunity to do so. If he hasn't changed Australia in his first year as prime minister, he probably never will.

[Transcript]

Why just one year? Whitlam's vigour in government came as a shock to Australian politics. The Coalition was adjusting to the opposition benches. Outside of parliament, the potential opponents of Whitlam reforms had yet to get organised. The general goodwill voters offer new governments gives more than enough cover for radical action. But that cover is only temporary. The support of voters drains. Oppositions organise. Scandals accumulate. The clear air for major reform becomes smoggy.

Worse, governments acclimatise to being in government. A government is full of energy in its first year. By the second year, even very promising ministers can get lazy. The business of government overtakes. MPs start thinking of the next election. But for the Coalition, the purpose of winning office cannot be merely to attain the status of being 'in government'. It must be to make Australians freer and more prosperous. From his social democratic perspective, Whitlam understood this point well. Labor in the 1970s knew that it wanted to reshape the country and it began doing so immediately.

The time pressure on a new government-if it is to successfully implant its vision-is immense. The vast Commonwealth bureaucracies and the polished and politically-savvy senior public servants have their own agendas, their own list of priorities, and the skill to ensure those priorities become their ministers' priorities. The recent experience of the state Coalition governments is instructive. Fresh-faced ministers who do not have a fixed idea of what they want to do with their new power are invariably captured by their departments.

Take, for instance, the Gillard government's National Curriculum. Opposing this policy ought to be a matter of faith for state Liberals. The National Curriculum centralises education power in Canberra, and will push a distinctly left-wing view of the world onto all Australian students. But it has been met with acceptance-even support-by the Coalition's state education ministers. This is because a single National Curriculum has been an article of faith within the education bureaucracy for decades; an obsession of education unions and academics, who want education to 'shape' Australia's future. (No prize for guessing what that shape might look like.) A small-target election strategy has the unfortunate side-effect of allowing ministerial aspirants to avoid thinking too deeply about major areas in their portfolio. So when, in the first week as minister, they are presented with a list of policy priorities by their department, it is easier to accept what the bureaucracy considers important, rather than what is right. The only way to avoid such departmental capture is to have a clear idea of what to do with government once you have it.

Only radical change that shifts the entire political spectrum, like Gough Whitlam did, has any chance of effecting lasting change. Of course, you don't have to be from the left of politics to leave lasting change on the political spectrum.

Both Margaret Thatcher and Ronald Reagan proved conservatives can leave a paradigm-shifting legacy. Though Thatcher's own party strayed from her strongly free-market philosophy, one of the major reasons the British Labour Party finally removed socialism from their party platform under Tony Blair was because of Margaret Thatcher.

Ronald Reagan not only presided over pro-market deregulation and tax cuts during eight years in the White House, but also provided the ideological fuel for the 1994 Republican revolution in the House of Representatives, led by Newt Gingrich, which enacted far-reaching welfare reform.

Here we provide a list of 75 policies that would make Australia richer and more free. It's a deliberately radical list. There's no way Tony Abbott could implement all of them, or even a majority. But he doesn't have to implement them all to dramatically change Australia. If he was able to implement just a handful of these recommendations, Abbott would be a transformative figure in Australian political history. He would do more to shift the political spectrum than any prime minister since Whitlam.

We do not mean for this list to be exhaustive, and in many ways no list could do justice to the challenges the Abbott government would face. Whitlam changed the political culture. We are still feeling the consequences of that change today. So the policies we suggest adopting, the bureaucracies we suggest abolishing, the laws we suggest revoking should be seen as symptoms, rather than the source, of the problem.

Conservative governments have a very narrow idea of what the 'culture wars' consists of. The culture of government that threatens our liberty is not just ensconced in the ABC studios, or among a group of well-connected and publicly funded academics. ABC bias is not the only problem. It is the spiraling expansion of bureaucracies and regulators that is the real problem.

[Transcript]

We should be more concerned about the Australian National Preventive Health Agency-a new Commonwealth bureaucracy dedicated to lobbying other arms of government to introduce Nanny State measures-than about bias at the ABC. We should be more concerned about the cottage industry of consultancies and grants handed out by the public service to environmental groups. We should be more concerned that senior public servants shape policy more than elected politicians do. And conservative governments should be more concerned than they are at the growth of the state's interest in every aspect of society.

If he wins government, Abbott faces a clear choice. He could simply overturn one or two symbolic Gillard-era policies like the carbon tax, and govern moderately. He would not offend any interest groups. In doing so, he'd probably secure a couple of terms in office for himself and the Liberal Party. But would this be a successful government? We don't believe so. The remorseless drift to bigger government and less freedom would not halt, and it would resume with vigour when the Coalition eventually loses office. We hope he grasps the opportunity to fundamentally reshape the political culture and stem the assault on individual liberty.

[Transcript]

- 1) Repeal the carbon tax, and don't replace it
- 2) Abolish the Department of Climate Change
- 3) Abolish the Clean Energy Fund
- 4) Repeal Section 18C of the Racial Discrimination Act
- 5) Abandon Australia's bid for a seat on the United Nations Security Council
- 6) Repeal the renewable energy target
- 7) Return income taxing powers to the states
- 8) Abolish the Commonwealth Grants Commission
- 9) Abolish the Australian Competition and Consumer Commission
- 10) Withdraw from the Kyoto Protocol
- 11) Introduce fee competition to Australian universities
- 12) Repeal the National Curriculum
- 13) Introduce competing private secondary school curriculums
- 14) Abolish the Australian Communications and Media Authority (ACMA)
- 15) Eliminate laws that require radio and television broadcasters to be 'balanced'
- 16) Abolish television spectrum licensing and devolve spectrum management to the common law
- 17) End local content requirements for Australian television stations
- 18) Eliminate family tax benefits
- 19) Abandon the paid parental leave scheme
- 20) Means-test Medicare
- 21) End all corporate welfare and subsidies by closing the Department of Industry, Innovation, Science, Research and Tertiary Education
- 22) Introduce voluntary voting
- 23) End mandatory disclosures on political donations
- 24) End media blackout in final days of election campaigns
- 25) End public funding to political parties



Transcript

<http://blogs.crikey.com.au/theurbanist/2013/04/11/is-tony-abbott-the-new-gough-whitlam/>

- 26) Remove anti-dumping laws
- 27) Eliminate media ownership restrictions
- 28) Abolish the Foreign Investment Review Board
- 29) Eliminate the National Preventative Health Agency
- 30) Cease subsidising the car industry
- 31) Formalise a one-in, one-out approach to regulatory reduction
- 32) Rule out federal funding for 2018 Commonwealth Games
- 33) Deregulate the parallel importation of books
- 34) End preferences for Industry Super Funds in workplace relations laws
- 35) Legislate a cap on government spending and tax as a percentage of GDP
- 36) Legislate a balanced budget amendment which strictly limits the size of budget deficits and the period the federal government can be in deficit
- 37) Force government agencies to put all of their spending online in a searchable database
- 38) Repeal plain packaging for cigarettes and rule it out for all other products, including alcohol and fast food
- 39) Reintroduce voluntary student unionism at universities
- 40) Introduce a voucher scheme for secondary schools
- 41) Repeal the alcopops tax
- 42) Introduce a special economic zone in the north of Australia including
  - (a) Lower personal income tax for residents
  - (b) Significantly expanded 457 Visa programs for workers, and
  - (c) encourage the construction of dams
- 43) Repeal the mining tax
- 44) Devolve environmental approvals for major projects to the states
- 45) Introduce a single rate of income tax with a generous tax-free threshold
- 46) Cut company tax to an internationally competitive rate of 25 per cent
- 47) Cease funding the Australia Network
- 48) Privatised Australia Post

(Murdoch) 1345447840\_document\_be\_like\_gough.pdf (August 2012)  
**John Roskam, James Paterson and Chris Berg ; Institute of Public Affairs (IPA)**

Transcript

<http://blogs.crikey.com.au/theurbanist/2013/04/11/is-tony-abbott-the-new-gough-whitlam/>

- 49) Privatised Medibank
- 50) Break up the ABC and put out to tender each individual function
- 51) Privatised SBS
- 52) Reduce the size of the public service from current levels of more than 260,000 to at least the 2001 low of 212,784
- 53) Repeal the Fair Work Act
- 54) Allow individuals and employers to negotiate directly terms of employment that suit them
- 55) Encourage independent contracting by overturning new regulations designed to punish contractors
- 56) Abolish the Baby Bonus
- 57) Abolish the First Home Owners' Grant
- 58) Allow the Northern Territory to become a state
- 59) Halve the size of the Coalition front bench from 32 to 16
- 60) Remove all remaining tariff and non-tariff barriers to international trade
- 61) Slash top public servant salaries to much lower international standards, like in the United States
- 62) End all public subsidies to sport and the arts
- 63) Privatised the Australian Institute of Sport
- 64) End all hidden protectionist measures, such as preferences for local manufacturers in government tendering
- 65) Abolish the Office for Film and Literature Classification
- 66) Rule out any government-supported or mandated internet censorship
- 67) Means test tertiary student loans
- 68) Allow people to opt out of superannuation in exchange for promising to forgo any government income support in retirement
- 69) Immediately halt construction of the National Broadband Network and privatise any sections that have already been built
- 70) End all government funded Nanny State advertising

(Murdoch) 1345447840\_document\_be\_like\_gough.pdf (August 2012)

**John Roskam, James Paterson and Chris Berg ; Institute of Public Affairs (IPA)**

Transcript

<http://blogs.crikey.com.au/theurbanist/2013/04/11/is-tony-abbott-the-new-gough-whitlam/>

71) Reject proposals for compulsory food and alcohol labelling

72) Privatisise the CSIRO

73) Defund Harmony Day

74) Close the Office for Youth

75) Privatisise the Snowy-Hydro Scheme

(Murdoch) 1351736776\_document\_25\_more\_ideas.pdf (October 2012)

**John Roskam, James Paterson and Chris Berg ; Institute of Public Affairs (IPA)**

<https://ipa.org.au/publications/2110/25-more-ideas-for-tony-abbott>

25 more ideas for Tony Abbott

IPA REVIEW ARTICLE

John Roskam, James Paterson and Chris Berg

Following on from our 75 ideas in the last edition, John Roskam, James Paterson and Chris Berg offer 25 more ideas to reshape Australia.

- 76) Have State Premiers appoint High Court justices
- 77) Allow ministers to be appointed from outside parliament
- 78) Extend the GST to cover all goods and services but return all extra revenue to taxpayers through cutting other taxes
- 79) Abolish the federal department of health and return health policy to the states
- 80) Abolish the federal department of education and return education policy to the states
- 81) Repeal any new mandatory data retention laws
- 82) Abolish the Australian Human Rights Commission
- 83) Have trade unions regulated like public companies, with ASIC responsible for their oversight
- 84) End all public funding to unions and employer associations
- 85) Repeal laws which protect unions from competition, such as the 'conveniently belong' rules in the Fair Work Act
- 86) Extend unrestricted work visas currently granted to New Zealand citizens to citizens of the United States
- 87) Negotiate and sign free trade agreements with Australia's largest trading partners, including China, India, Japan and South Korea
- 88) Restore fundamental legal rights to all existing commonwealth legislation such as the right to silence and the presumption of innocence
- 89) Adhere to section 51(xxxi) of the Constitution by not taking or diminishing anyone's property without proper compensation
- 90) Repeal legislative restrictions on the use of nuclear power
- 91) Allow full competition on all foreign air routes
- 92) Abolish the Medicare levy surcharge
- 93) Abolish the luxury car tax

(Murdoch) 1351736776\_document\_25\_more\_ideas.pdf (October 2012)

**John Roskam, James Paterson and Chris Berg ; Institute of Public Affairs (IPA)**

<https://ipa.org.au/publications/2110/25-more-ideas-for-tony-abbott>

25 more ideas for Tony Abbott

IPA REVIEW ARTICLE

John Roskam, James Paterson and Chris Berg

- 94) Halve the number of days parliament sits to reduce the amount of legislation passed
- 95) Abolish Tourism Australia and cease subsidising the tourism industry
- 96) Make all government payments to external parties publicly available including the terms and conditions of those payments
- 97) Abandon plans to restrict foreign investment in Australia's agricultural industry
- 98) Cease the practice of setting up government-funded lobby groups, such as YouMeUnity, which uses taxpayer funds to campaign to change the Australian Constitution
- 99) Rule out the introduction of mandatory pre-commitment for electronic gaming machines
- 100) Abolish the four pillars policy which prevents Australia's major banks from merging

The next two pages contain a list of some of the incitements of the IPA executed by the members and senators of the Government of the Commonwealth between 2012 and 2015. The list derives from a document known as “Tracking Abbott’s Wreckage”.

. **“Tracking Abbott’s Broken Promises”(sic.)** this version(section) of (by Sally McManus, available at [https://web.facebook.com/tracking.abbotts.wreckage/?\\_rdr](https://web.facebook.com/tracking.abbotts.wreckage/?_rdr)) derives from the copy of the text at <http://mike.brisgeek.com/abbotts-wreckage/>. See either original list version for links used in support of claims made by the author, Sally McManus. We suggest that there is no complete list of the destructions inflicted on the Commonwealth by the Rudd-Abbott/Abbott-Shorten/Turnbull-Shorten “government”: many depredations (by Rudd-Abbott/Abbott-Shorten/Turnbull-Shorten and their Masters-Accomplices-Collaborators both Parliamentary and not) would seem to have taken place beneath what has been (allowed to be) reported to/by media.

**Tracking of the Broken Promises of Abbott , Sally McManus, 2013-2015, 1**

- [...]
1. Does not spend his first week as Prime Minister with an Aboriginal community – 14 September 2013.
  2. Fails to “stop the boats” – 23 September 2013. This promise was repeated so many times I can’t count.
  - ...
  3. Breaks his promise to support Gonski – 25 November 2013 and 13 May 2014. Fails to commit to future funding or to require States to match the Commonwealth funding commitment. See paragraph two from Christopher Pyne on 29 August 2013
  4. Breaks its NBN election promise of giving all Australians access to 25 megabits per second download speeds by 2016 – 12 December 2013 This was the Coalition’s policy they took to the election first announced 9 April 2013.
  5. Breaks his election promise of no cuts to education by cutting funding for trade training centres in schools on 17 December 2013. He made this promise at the National Press Club on 2 September 2013 and in writing on 5 September 2013 as part of their policy commitments.
  6. Breaks a promise to make no cuts to health. He made this promise at the National Press Club on 2 September 2013 and in writing on 5 September 2013 as part of their policy commitments. This promise was first broken on 27 November 2013 when they cut funding to the Alcohol and Other Drugs Council
  7. Breaks a promise to make no cuts to health on 17 December 2013 when they cut \$150 million from hospitals and health services.
  8. Fails to provide the promised customs vessel to monitor whaling operations in the Southern Ocean – 23 December 2013 Promise made by Greg Hunt – 9 April 2013
  9. Breaks a promise to provide fibre-to-the-premises for all Tasmanians for the National Broadband Network. This promise was confirmed [b]y Malcolm Turnbull on 17 August 2013 and confirmed as broken by the NBN Co executive chairman Ziggy Switkowski on 13 February 2014.
  10. Breaks a promise to introduce the paid parental leave scheme he took to the election on 30 April 2014 by reducing the promised benefit for those earning above \$100 000.
  11. Breaks promise of “no cuts to the ABC or SBS” by cutting \$43.5 million from the ABC and SBS.
  12. Breaks a promise of “no new taxes” by introducing a deficit tax rise of two percentage points for people earning more than \$180,000 a year.
  13. Announced to sacking of 16,500 public sector workers as whole Departments are abolished despite promising only 12,000 job losses and through natural attrition.
  14. Breaks a promise of “no new taxes” by introducing a fuel levy.
  15. Reduction in foreign aid budget of \$7.9 billion over five years despite promise to not exceed \$4.5 billion and cut via indexation.
  16. Increases the pension age to 70 from 2035 after promising no changes to pensions
  17. Cuts to old age pension by indexing to CPI, while it was promised there would be no changes.
  18. Scraps The Australian Renewable Energy Agency (ARENA) which was set up to support new and emerging renewable technologies and in doing so breaks an election promise.

**Tracking of the Broken Promises of Abbott , Sally McManus, 2013-2015, 2**

19. Tears up Federal Government's agreement with states and territories to help fund increasing health costs despite promise of no cuts to health.

20. Breaks a promise to make no cuts to health with a \$368 million cut from preventative health measures.

21. Reduces the Medicare benefit for optometry services and allows optometrists to charge more, despite promise to not cut health budget.

22. Axes the Charles Sturt University's dental and oral health clinics, despite promise to not cut health budget.

23. Abolishes Medicare locals, despite promise to not cut health budget.

24. Breaks a promise to spend \$2.55 billion Emissions Reduction Fund by committing less than half this amount in the budget.

25. Breaks a promise to have one million more solar roofs across Australia and at least 25 solar towns.

26. Breaks a promise not to cut funding to health by dramatically cutting hospital funding.

27. Breaks election promise and slashes funding to Landcare

28. Breaks promise that no public servants will be forced into redundancy after revelations that two public servants in the Department of Industry have been made involuntarily redundant since September.

29. Breaks promise that no public servants will be forced into redundancy as it is revealed that at least 30 staff in Treasury will be made involuntarily redundant.

30. Breaks a promise not to grant permanent permanent residency to people arriving by boat by granting a visa to a least one refugee

31. Breaks a promise to amend the race hate laws

32. Breaks a promise to "make no unexpected detrimental changes to superannuation" by killing the Low Income Super Contribution, the Superannuation Guarantee and delaying superannuation increases for seven years.

33. Breaks election promise to build replacement submarines in South Australian shipyards, spending more than \$20 billion on Japanese submarines instead.

34. Breaks an election promise to publish a proposal for constitutional recognition for Indigenous people and establish a bipartisan process to try to bring about recognition as soon as possible within the first 12 months of Government.

35. Breaks promise to achieve a surplus in the Governments' first year in office, instead overseeing an estimated \$51 billion deterioration in revenue.

36. Breaks a key election promise to bring in 26 weeks parental leave paid at a working mother's actual wage

37. Breaks an election promise to improve transparency by restricting the transparency of overseas travel expenses after media reports on Christopher Pyne's lavish trip to Europe with his wife

38. Imposes a \$900 tax on new homes connecting to the NBN and breaks his election promise on new taxes.



The next nineteen pages contain a list of the activities of the members and senators of the Government of the Commonwealth between 2013 and 2015. The list derives from a document known as "Tracking Abbott's Wreckage".

"Tracking Abbott's Wreckage" (in numerical/chronological order - reversed from the original): this version(-section) of "Tracking Abbott's Wreckage" by Sally McManus is available at [https://web.facebook.com/tracking.abbotts.wreckage/?\\_rdr](https://web.facebook.com/tracking.abbotts.wreckage/?_rdr)) derives from the copy of the text at <http://mike.brisgeek.com/abbotts-wreckage/> See either original list version for links used in support of claims made by the author, Sally McManus. We suggest that there is no complete list of the destructions inflicted on the Commonwealth by the Rudd-Abbott/Abbott-Shorten/Turnbull-Shorten "government": many depredations (by Rudd-Abbott/Abbott-Shorten/Turnbull-Shorten and their foreign Masters-Accomplices-Collaborators both Parliamentary and not) would seem to have taken place beneath what has been (allowed to be) reported to/by media. This list only runs to 2015, but the revolution against the Rule of Law and the Constitution of the Commonwealth is still in progress, although it *is* entering its final stage.

**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 1**

1. Takes away pay rises from aged care workers – 13 September 2013
2. Takes away pay rises for childcare workers – 13 September 2013
3. Breaks his promise to spend his first week with an Aboriginal community -14 September 2012
4. Abolishes key ministerial positions of climate change and science – 16 September 2013
5. Appoints only one woman into his cabinet and blames the women for his decision, saying he appoints “on merit” – 16 September 2013
6. Appoints himself Minister for Women – 16 September 2013
7. Abolishes the Climate Commission – 19 September 2013
8. Scraps the Social Inclusion Board, which had been established to guide policy on the reduction of poverty in Australia – 19 September 2013
9. Breaks his promise to “stop the boats” – 23 September 2013
10. Axes the Major Cities Unit a Government agency with 10 staff which provided expert advice on urban issues in our 18 biggest cities – 24 September 2013
11. Appoints Howard era Australian Building & Construction Commission (ABCC) Director to help reinstate the ABCC with all its previous oppressive powers over construction workers – 17 October 2013
12. Instructs public servants and detention centre staff to call asylum seekers “illegals” – 20 October 2013
13. Cuts compensation to the victims of bushfires – 21 October 2013
14. Appoints the head of the Business Council of Australia to a “Commission of Audit” to recommend cuts to public spending – 22 October 2013
15. Denies there is a link between climate change and more severe bush fires and accuses a senior UN official was “talking through their hat” – 23 October 2013
16. Launches a successful High Court challenge which strikes down the ACT Marriage Equality laws invalidating the marriages of many people and ensuring discrimination against same-sex couples continues – 23 October 2013
17. Abolishes the 40 year old AusAID costing hundreds of jobs – 1 November 2013
18. Provides \$2.2 million legal aid for farmers and miners to fight native title claims – 1 November 2013
19. Refuses to offer support to manufacturing in Tasmania, despite requests and warnings. Caterpillar announces the move of 200 jobs from Burnie to Thailand, costing around 1000 local jobs – 5 November 2013
20. Abolishes the Advisory Panel on Positive Ageing, established to help address the challenges the country faces as the number of older Australians grows – 8 November 2013
21. Abolishes the National Housing Supply Council which provided data and expert advice on housing demand, supply and affordability – 8 November 2013

**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 2**

22. Abolishes Australian Animals Welfare Advisory Committee a diverse group of experts advising the Agriculture Minister on animal welfare issues – 8 November 2013
23. Abolishes the Commonwealth Firearms Advisory Council a group of experts in gun crime and firearms which was set up after the Port Arthur massacre – 8 November 2013
24. Abolishes International Legal Services Advisory Council which was responsible for working to improve the international performance of Australia's legal services – 8 November 2013
25. Abolishes the National Inter-country Adoption Advisory Council which provided expert advice on overseas adoption – 8 November 2013
26. Abolished the National Steering Committee on Corporate Wrongdoing that for 21 years worked to make sure the law was effectively enforced on corporate criminals – 8 November 2013
27. Abolishes the Antarctic Animal Ethics Committee who ensured research on animals in the Antarctic complies with Australian standards – 8 November 2013
28. Abolishes the Advisory Panel on the Marketing in Australia of Infant Formula which for 21 years ensured companies comply with agreements on the advertising of infant formula – 8 November 2013
29. Abolishes the High Speed Rail Advisory Group whose job it was to advise Governments on the next steps on implementing high speed rail for eastern Australia – 8 November 2013
30. Abolishes the Maritime Workforce Development Forum which was an industry body working to build a sustainable skills base for the maritime industry – 8 November 2013
31. Abolishes Insurance Reform Advisory Group which provided a forum for industry and consumer bodies to discuss insurance industry reform – 8 November 2013
32. Cuts 600 jobs at the CSIRO – 8 November 2013
33. Separates a refugee mother from her newborn baby – 10 November 2013
34. Abandons Australia's emission reduction targets – 12 November, 2013
35. Hides information from the Parliament and the people about the government's treatment of asylum seekers – 13 November 2013
36. Condone torture by foreign governments by saying "sometimes in difficult circumstances, difficult things happen" – 14 November 2013
37. Introduces a Bill to impose on workers who are elected onto unpaid union committees huge financial penalties and jail terms for breaches of new compliance obligations – 14 November 2013
38. Gifts two navy patrol boats to the Sri Lankan government to stop asylum seekers fleeing the Sri Lankan government – 17 November 2013
39. Converts crucial Start-Up Scholarships into loans, increasing the debt of 80,000 higher education students by \$1.2 billion – 21 November 2013
40. Damages our diplomatic relationship with the Indonesian Government by refusing to apologise for tapping the phones of their President, his wife and senior Government officials – 23 November 2013

**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 3**

41. Shifts Australia's position at the UN on Israeli settlements – 25 November 2013
42. Breaks his promise to support Gonski and back flips three times – 25 November 2013
43. Axes funding to the Alcohol and Other Drugs Council of Australia, forcing the 46 year old organisation to close. It is later revealed that a staffer in the Assistant Health Minister's office had links to the Alcohol Industry – 27 November 2013
44. Suspends the Wage Connect program, despite it being proven to deliver good outcomes for unemployed people – 3 December 2013
45. Repeals the pokie reform legislation which was designed to combat problem gambling – 4 December 2013
46. Damages our diplomatic relationship with our nearest neighbour East Timor – 5 December 2013
47. Undermines Australia's democracy by signing a free trade agreement with South Korea allowing corporations to sue the Australian Government – 6 December 2013
48. Downgrades national environment laws by giving approval powers to state premiers – 9 December 2013
49. Removes the community's right to challenge decisions where the government has ignored expert advice on threatened species impacts – 9 December 2013
50. Approves the largest coal port in the world in the Great Barrier Reef World Heritage Area – 10 December 2013
51. Demands that the few childcare workers who got pay rises "hand them back" – 10 December 2013
52. Approves Clive Palmer's mega coal mine in the Galilee Basin which opponents say will severely damage Great Barrier Reef – 11 December 2013
53. Dares Holden to leave Australia. Holden responds by announcing its closure which costs Australians tens of thousands of jobs – 11 December 2013
54. Overturns the "critically endangered" listing of the Murray Darling Basin – 11 December 2013
55. Breaks his NBN election promise of giving all Australians access to 25 megabits per second download speeds by 2016 – 12 December 2013
56. Scraps the COAG Standing Council on Environment and Water – 13 December 2013
57. Starts dismantling Australia's world leading marine protection system – 13 December 2013
58. Axes \$4.5 million from charities and community groups for the Building Multicultural Communities Program – 13 December 2013
59. Dumps the National Occupational Licensing Scheme which was designed to increase productivity by making it easier for skilled workers to work interstate – 14 December 2013
60. Disbands the independent Immigration Health Advisory Group for asylum seekers – 16 December 2013

**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 4**

61. Weakens the ministerial code of conduct to let ministers keep shares in companies – 16 December 2013
62. Cuts \$2.5 million from community radio – 17 December 2013
63. Abolishes the National Office for Live Music along with the live music ambassadors – 17 December 2013
64. Breaks his promise to unequivocally support the NDIS by changing the name of NDIS “launch sites” to “trial sites” and flags cuts to funding – 17 December 2013
65. Abolishes the position of co-ordinator-general for remote indigenous services – 17 December 2013
66. Cuts Indigenous legal services by \$13.4 million. This includes \$3.5 million from front line domestic violence support services, defunding the National legal service and abolishing all policy and law reform positions across the country – 17 December 2013
67. Abolishes the AusAID graduate program costing 38 jobs – 17 December 2013
68. Breaks his election promise of no cuts to education by cutting funding for trade training centres in schools – 17 December 2013
69. Axes funding for animal welfare – 17 December 2013
70. Defunds the Environmental Defenders Office which is a network of community legal centres providing free advice on environmental law – 17 December 2013
71. Defunds the Public Interest Advocacy Centre whose objectives are to work for a fair, just and democratic society by taking up legal cases public interest issues – 17 December 2013
72. Scraps the Home Energy Saver Scheme which helps struggling low income households cut their electricity bills – 17 December 2013
73. Breaks a promise to make no cuts to health by cutting \$150 million from hospital and health services – 17 December 2013.
74. Cuts funding to the Energy Efficiency Opportunities Programme which makes it mandatory for large energy using businesses to improve their efficiency – 17 December, 2013
75. Requests the delisting of World Heritage status for Tasmanian forests – 21 December 2013
76. Breaks his promise to provide the promised customs vessel to monitor whaling operations in the Southern Ocean – 23 December 2013
77. Approves private health fund premium increases of an average 6.2% a year – 23 December 2013
78. Appoints Tim Wilson, a Liberal Party member and Policy Director of a right-wing think tank to the position of Commissioner at the Human Rights Commission even though this think tank argued for the Commission to be abolished – 23 December 2013
79. Drastically reduces tax breaks for small business and fails to publicise it – 1 January 2014
80. Devastates Australia's contribution to overseas aid by cutting \$4.5 billion from the budget, causing vital programs supporting those in extreme poverty in our region to collapse – 1 January 2014
81. Scraps funding from the Jewish Holocaust Centre – January 3, 2014

**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 5**

82. Fails to contradict or take any action against a member of his government, Senator Cory Bernardi, who makes divisive statements about: abortion, "non-traditional" families and their children, same sex couples, couples who use IVF and calls for parts of WorkChoices to be reintroduced – 6 January 2014
83. Directs that people already found to be refugees who arrived by boat be given the lowest priority for family reunion – 8 January 2014
84. Politicises the national school curriculum by appointing a former Liberal staffer and a Coalition supporter, both critics of the current curriculum to conduct a review – 10 January 2014.
85. Violates Indonesia's territorial sovereignty while turning back asylum seeker boats – 17 January 2014
86. Defunds all international environmental programs, the International Labour Organisation and cuts funding to a range of international aid programs run by NGOs such as Save the Children, Oxfam, CARE Australia and Caritas – 18 January 2014
- 2014 87. Exempts Western Australia from national environment laws to facilitate shark culling – 21 January 2014
- 2014 88. Withdraws funding for an early intervention program to help vulnerable young people – 22 January 2014
89. Seeks to wind back the World Heritage listing of Tasmania's forests – 23 January 2014
90. Privatises the 104 year old Australian Valuation Office costing nearly 200 jobs – 24 January 2014
91. Intervenes on the side of Toyota to support cutting Australian workers wages and conditions – 28 January 2014
- 2014 92. Cuts the wages of Australian troops deployed overseas by almost \$20 000 per soldier – 29 January 2014
93. Launches an "efficiency study" into ABC and the SBS – 30 January 2014
94. Lies to the Australian public about the wages and working conditions of factory workers at SPC Ardmona in Shepparton and uses this incorrect information to blame them for their job insecurity – 4 February 2014
95. Supports a reduction of penalty rates and other Award minimums in a submission to the Fair Work Commission's review of all Awards – 4 February 2014
96. Attempts to reintroduce temporary visas for asylum seekers found to be fleeing persecution preventing them ever settling in Australia and retrospectively applies them to 20 000 people. This is stopped in the Senate twice by the ALP and The Greens – 7 February 2014
97. Launches a Royal Commission into unions – 10 February 2014
98. Destroys the Australian car manufacturing industry by refusing to provide any industry assistance leading to the decision of Toyota to shut costing up to 30 000 jobs – 10 February 2014
99. Takes down a website providing information to the Australian public on the ingredients and nutritional content of foods. It is later revealed that the person in the Minister's office who gave this directive is married to a lobbyist from the junk food industry and was still a share holder in their lobbying company – 11 February 2014
100. Lies to the Australian public about the reasons Toyota gave for their decision to close in order to blame the workers and their union – 12 February 2014



**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 6**

101. Unemployment rate jumps to highest in more than 10 years – 13 February 2014
102. Breaks a promise to provide fibre-to-the-premises for all Tasmanians for the National Broadband Network – 13 February 2014
103. Pays hundreds of indigenous workers in his Department up to \$19 000 less than non-indigenous workers doing the same job and cuts the budget for the representative body the National Congress of Australia's First Peoples causing two-thirds of the staff to lose their jobs – 15 February 2014
104. Appoints a climate change sceptic to head a review of our renewable energy target – 17 February 2014
105. Removes poverty reduction from the goals of the foreign affairs budget – February 17, 2014
106. Reverses the previous government's decision to care for refugee children who are without an adult family member (ie unaccompanied minors) in the community and sends them to detention centres in Nauru – 17 February 2014
107. Fails to ensure the safety of asylum seekers in our care on Manus Island who were subjected to a vicious attack, which left one person dead and seventy-seven seriously injured – 18 February 2014
108. Breaches the privacy and puts in danger around 10, 000 asylum seekers and their families by releasing their personal details on the Department of Immigration website – 19 February 2014
109. Blames carbon pricing for the close of Alcoa smelters and rolling mills and the loss of nearly 1000 jobs, despite the fact the company states it had no bearing on their decision – 19 February 2014
110. Pressured SPC Ardmona to cut the pay and conditions for workers in return for Government money – 20 February 2014
111. Scraps food grants program for small farmers – 21 February 2014
112. Contravenes 113 years of established practice by moving to release the previous Government's confidential cabinet papers to the Royal Commission into the Pink Batts scheme – 22 February 2014
116. Axes funding earmarked to save the Sumatran rhinoceros from extinction – 28 February 2014
117. Frustrated and defeated an attempt at the UN to highlight the humanitarian consequences of nuclear war – 5 March 2014
118. Overturns a ban on cattle grazing in the Victorian Alpine National Park – 6 March 2014
119. Reopens 457 visa loophole to allow employers to hire an unlimited number of workers without scrutiny – 12 March 2014
120. Cuts hundreds of jobs at the CSIRO – 14 March 2014
121. Moves to deny funding to artists or events that refuse corporate sponsorship for ethical reasons – 15 March 2014
122. Cuts welfare payments to orphans of soldiers – 16 March 2014
123. Abolishes one third of the jobs in Treasury costing approximately 300 jobs – 21 March 2014
124. Ensures a human rights enquiry into the Manus Island detention centre is shut down and human rights lawyers are denied access to the centre – 23 March 2014
125. Cuts 400 jobs from the industry department – 25 March 2014

**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 7**

126. Brings back the awards of knights and dames which were abolished in 1986 – 25 March 2014
127. Closes all Medicare offices on Saturdays – 26 March 2014
128. Opposes a UN resolution to conduct war crimes inquiry in Sri Lanka – 28 March 2014
129. Defunds Ethical Clothing Australia that worked with industry to protect outworkers in the textile and clothing industry from exploitation and abandons the Governments ethical procurement guidelines – 30 March 2014
130. Axes free legal assistance for asylum seekers – 31 March 2014
131. Imposes fees and charges on people who become bankrupt – 1 April 2014
132. Establishes a secret, publicly funded “hit squad” to target political opponents led by the man who provided a “chaff bag” for Alan Jones to auction at a Young Liberal fundraiser – 1 April 2014
133. Forbids public servants from making political comments online, even anonymously, and instructs them to report on colleagues who do – 6 April 2014
134. Cuts 480 jobs from the Environment Department who are responsible for protecting places such as Kakadu, Antarctica and the Great Barrier Reef – 7 April 2014
135. Begins dismantling GP Super clinics – 8 April 2014
136. Abolishes the research and development tax incentives board – 11 April 2014
137. Spends \$12.4 billion on new fighter jets whilst claiming a budget “emergency” and preparing to make big cuts to health and welfare – 23 April 2014
138. Breaks a promise to introduce the paid parental leave scheme he took to the election – 30 April 2014
139. Releases the Commission of Audit report which recommends savage budget cuts that would negatively affect every Australian – 1 May 2014
140. Sacks the National People with Disability and Carers Council – which pushed for and then helped build the NDIS – 13 May 2014
141. Abolishes the COAG Reform Council – which provides information to Governments so they can track the performance of their programs – 13 May 2014
142. Scraps caps on university fees, meaning universities will be able to charge whatever they like for degrees – 13 May 2014
143. Tears up Federal Government’s agreement with states and territories to help fund increasing health costs – 13 May 2014
144. Undermines Medicare by imposing a \$7 fee increase for GP visits – 13 May 2014
145. Breaks promise of “no cuts to the ABC or SBS” by cutting \$43.5 million from the ABC and SBS – 13 May 2014
146. Scraps the Australia Network, Australia’s international television service broadcast across our region that provides news and current affairs from an Australian perspective – 13 May 2014



**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 8**

147. Scrapping a net \$1.2 billion in tuition subsidies for universities – 13 May 2014
148. Breaks a promise of “no new taxes” by introducing a deficit tax rise of two percentage points for people earning more than \$180,000 a year – 13 May 2014
149. Cuts \$500 million from indigenous programs over five years – 13 May 2014
150. Announces the sacking of 16,500 public sector workers as whole Departments are abolished despite promising only 12,000 job losses – 13 May 2014
151. Breaks a promise of “no new taxes” by introducing a fuel levy – 13 May 2014
152. Abolishes the highly successful Youth Connections program that supports young people who have not completed, or are at risk of not completing Year 12 or equivalent qualifications also costing hundreds of community sector jobs – 13 May 2014
153. Slashes Disability Support Pensions by indexing to inflation – 13 May 2014
154. Axes funding to the Australian Youth Affairs Coalition, the national peak body for young people- 13 May 2014
155. Breaks a promise to only cut the foreign aid budget by \$4.5 billion and cuts it by \$7.9 billion instead – 13 May 2014
156. Caps the amount of money workers can recoup in entitlements if their employer becomes insolvent or bankrupt to 16 weeks – 13 May 2014
157. Cuts the ‘Tools for the Trade’ program which helped apprentices buy their tools, and replacing it with a loan scheme apprentices will have to repay – 13 May 2014
158. Imposes a \$5 increase on the cost of all medicines available under the Pharmaceutical Benefits Scheme (80c for concession card holders) – 13 May 2014
159. Increases the pension age to 70 from 2035 – 13 May 2014
160. Cuts the old age pension by indexing it to CPI instead of wages – 13 May 2014
161. Cuts the Family Tax Benefit Part B – 13 May 2014
162. Imposes a six month wait for people under 30s to receive unemployment benefits – 13 May 2014
163. Forces people under 30 to work for the dole if they want to receive any financial support after a waiting period of six months with no financial support – 13 May 2014
164. Guts the Australia Council and Screen Australia by cutting \$87 million for the Arts – 13 May 2014
165. Makes it harder for retirees to access the Commonwealth Seniors Health Card – 13 May 2014
166. Increases debt for students by increasing the interest on their fees – 13 May 2014
167. Forces students to repay their debt earlier by lowering the wage they need to earn before payments kick in – 13 May 2014
168. Increases the fuel excise twice a year by indexing it to CPI – 13 May 2014

**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 9**

169. Cuts the Family Tax Benefit A end-of-year supplement by 17% – 13 May 2014
170. Breaks a promise to make no cuts to health with a \$368 million cut from preventative health measures – 13 May 2014
171. Reduces Medicare and Pharmaceutical Benefits Scheme safety nets – 13 May 2014
172. Kills off the Gonski school funding vision by cutting future funding by \$30 billion – 13 May 2014
173. Cuts the benefit for unemployed people under 25 by moving them onto the Youth Allowance – 13 May 2014
174. Pulls \$2.5 billion from aged care, including \$1.7 billion from home based support such as Meals on Wheels – 13 May 2014
175. Scraps the Housing Help for Seniors scheme which provided assistance to older Australians – 13 May 2014
176. Scraps The Australian Renewable Energy Agency (ARENA) which was set up to support new and emerging renewable technologies and in doing so breaks an election promise – 13 May 2014
177. Axes industry and community clean energy programs include the Low Emissions Technology Demonstration Fund, the National Low Emission Coal Initiative, Energy Efficiency Programmes, the National Solar Schools Plan, Energy Efficiency Information Grants and Low Carbon Communities – 13 May 2014
178. Abolishes the GP Education and Training Limited and ceasing the Pre-vocational GP Placements Scheme – 13 May 2014
179. Reduces the Medicare benefit for optometry services and allows optometrists to charge more – 13 May 2014
180. Defers the National Partnership Agreement for adult public dental services until July 2015 – 13 May 2014
181. Axes the National Partnership Agreement on Preventive Health – 13 May 2014
182. Abolishes Health Workforce Australia and cuts the expansion of the Clinical Training Funding Program – 13 May 2014
183. Cuts Australia's Animal Welfare Strategy – 13 May 2014
184. Cuts funding to the National Anti-Tobacco Campaign – 13 May 2014
185. Defers 13 Partners in Recovery programs which help people with severe and persistent mental illness and complex support needs – 13 May 2014
186. Axes funding for the nursing and allied health scholarships in Tasmania – 13 May 2014
187. Axes the Charles Sturt University's dental and oral health clinics – 13 May 2014
188. Ceases the Dental Flexible Grants Program – 13 May 2014
189. Axes the Diagnostic Imaging Quality Programme – 13 May 2014
190. Axes the tax break for people with dependent spouses – 13 May 2014

**Tracking Abbott's Wreckage**, Sally McManus, 2013-2015, 10

191. Abolishes the Seniors Supplement – 13 May 2014
192. Dismantles the Australian Institute of Health and Welfare and will establish a health productivity and performance commission – 13 May 2014
193. Abolishes the Better Schools Centre for Quality Teaching and Learning – 13 May 2014
194. Abolishes the Disability Discrimination Commissioner – 13 May 2014
195. Abolishes the ABC's disability communities website Ramp Up – 13 May 2014
196. Mandates religious education in schools by taking away the option for school to opt for a secular social worker instead – 13 May 2014
197. Reduces payments to people under 35 with a disability who cannot find employment if they could work more than eight hours a week – 13 May 2014
198. Abolishes Medicare locals – 13 May 2014
199. Ceases funding for National ICT Australia, which is a research centre for communications and information technology – 13 May 2014
200. Rips a further \$111.4 million over four years out of the operating budget of the CSIRO – 13 May 2014
201. Scraps a range of grant programs aimed at funding innovation and start-up businesses, including: Australian Industry Participation; Commercialisation Australia; Enterprise Solutions; Innovation Investment Fund; Industry Innovation Councils; Enterprise Connect; Industry Innovation Precincts; and Textile, Clothing and Footwear Small Business and Building Innovative Capability – 13 May 2014
202. Reduces funding to the Australian Institute for Marine Science – 13 May 2014
203. Reduces funding for the Australian Nuclear Science and Technology Organisation – 13 May 2014
204. Cuts the Family Tax Benefit B end-of-year supplement by 15% – 13 May 2014
205. Freezes the Family Tax Benefit A at a set income level regardless of the number of children – 13 May 2014
206. Announces 3000 job losses at the Australian Tax Office – 13 May 2014
207. Orders the spending of \$11.7 million to plan the privatisation of: Defence Housing Australia, the Royal Australian Mint and the registry function of the Australian Securities and Investments Commission – 13 May 2014
208. Breaks a promise to spend \$2.55 billion Emissions Reduction Fund by committing less than half this amount in the budget – 13 May 2014
209. Breaks a promise to have one million more solar roofs across Australia and at least 25 solar towns – 13 May 2014
210. Cuts the Women in Leadership program – 13 May 2014
211. Cuts \$25million over 4 years or a quarter of the funding to Community Legal Centres who provide legal support to the poor and disadvantaged – 13 May 2014

**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 11**

212. Cuts \$240 million over four years to community programs that support poor, sick or disadvantaged people – 13 May 2014

213. Breaks a promise not to cut funding to health by dramatically cutting hospital funding – 13 May 2014

214. Abolishes the Australian Interactive Games Fund which helped support local video game developers – 13 May 2014

215. Cuts \$2.3 million in contribution to the World Health Organisation – 13 May 2014

216. Kills off four grant programmes including the the Australian Community Food Safety Campaign and Outreach Support Services for Criminalised Women – 13 May 2014

217. Axes the National Partnership Agreement on Certain Concessions for Pensioners and Seniors Card Holders which supports state and territory concessions for senior citizens including energy rebates. – 13 May 2014

218. Cuts an incentive program for graduates to take up work in regional locations of need – 13 May 2014

219. Abolishes tax break for mature age workers and replaces it with a payment for employing people over 50 who have been on Newstart or the DSP for more than 6 months – 13 May 2014

220. Cuts Australian Research Council funding – 13 May 2014

221. Cuts the Australian National University's HC Coombs Policy Forum – 13 May 2014

222. Cuts higher education reward funding – 13 May 2014

223. Ends the development of the Australian Baccalaureate – 13 May 2014

224. Cut the Research Training Scheme, with tertiary education providers to introduce student contributions for higher degrees – 13 May 2014

225. Reduces funding to the Australian Institute for Teaching and School Leadership – 13 May 2014

226. Cuts funding to the Child Care Early Learning Projects and the Professional Support Program which assist childcare workers gain skills – 13 May 2014

227. Abolishes the Improving Educational Outcomes Programme – 13 May 2014

228. Reduces funding to the Tertiary Education Quality and Standards Agency – 13 May 2014

229. Axes the first home buyers savings scheme – 13 May 2014

230. Cuts funding from the corporate regulator ASIC which oversees the financial sector – 13 May 2014

231. Abolishes the National Rental Affordability Scheme – 13 May 2014

232. Breaks election promise and slashes funding to Landcare – 13 May 2014

233. Abolishes the Congress of Australia's First Peoples, the only elected representative body for Indigenous Australians - 13 May 2014

234. Cuts funding to the Torres Strait Regional Authority – 13 May 2014

**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 12**

235. Cuts funding for Indigenous language support – 13 May 2014
236. Slashes funding from the Indigenous Health Budget – 13 May 2014
237. Abolishes funding to the Exotic Disease Preparedness Programme – 13 May 2014
238. Abolishes the Commonwealth Human Rights Education Grant – 13 May 2014
239. Terminates the Office of Water Science research programme – 13 May, 2014
240. Introduces annual reviews for veterans receiving military compensation payments due to illness or injury – 13 May, 2014
241. Abolishes the Australian Organ and Tissue Donation and Transplantation Authority which was established to encourage organ donation – 13 May, 2014
242. Cuts the Education Department's Online Diagnostic Tools Programme – 13 May, 2014
243. Slashes the Biodiversity Fund – 13 May, 2014
244. Scraps the annual subsidy to local ethanol producers – 13 May 2014
245. Abolishes the Get Reading Programme – 13 May, 2014
246. Abolishes funding for Building Australia's Future Workforce – Connection Interviews and Job Seeker Workshops and the Experience+ Career Advice initiative – 13 May, 2014
247. Scraps the National Water Commission – 13 May, 2014
248. Breaks promise that no public servants will be forced into redundancy after revelations that public servants in the Department of Industry have been made involuntarily redundant – 19 May 2014
249. Takes money from the Royal Commission into Institutional Responses to Child Sexual Abuse and gives it to the Royal Commission into the Home Insulation Scheme – 28 May 2014
250. Cuts funding to the peak refugee organisation the Refugee Council of Australia – 30 May 2014
251. Excludes Australian shipyards from a major new contract, sending jobs offshore and threatening the industry in Australia – 05 June, 2014
252. Abolishes the Corporations and Markets Advisory Committee, which has, for 25 years, investigated gaps in Australia's corporate and financial markets law and recommended ways to close them – 05 June, 2014
253. Abandons the long-held, bipartisan position of referring to Palestinian land captured in 1967 as occupied – 06 June, 2014
254. Refuses to halt return of refugees to war-torn Iraq – 18 June, 2014
255. Seeks to reintroduce Temporary Protection Visas after the High Court strikes down the Government's attempt to limit the number of permanent visas available each year – 22 June 2014.
256. Breaks promise that no public servants will be forced into redundancy as it is revealed that staff in Treasury in Finance will be made involuntarily redundant – 24 June, 2014

**Tracking Abbott's Wreckage**, Sally McManus, 2013-2015, 13

257. Cuts Dementia and Severe Behaviours Supplement, a payment to those who provide care for people with severe behavioural and psychological symptoms of dementia – 26 June, 2014

258. Revokes the residential determination of two asylum seekers from Vietnam currently in high school in Adelaide and removes them to a detention centre, resulting in up to 7 other children, also in school, running away for fear of the same fate – 28 June, 2014

259. Refuses to confirm the existence of two boatloads of refugees reported to be currently on board customs vessels. The Government previously denied the vessels were in trouble and refuses to comment on whether the refugees will be landing in Australia – 30 June, 2014

260. Strikes out protections for consumers of financial advice before the report into the Commonwealth Bank of Australia financial planning scandal is tabled, which recommends a Royal Commission into the bank to investigate allegations of fraud, forgery and a management cover-up – 01 July, 2014

261. Appoints a former Liberal MP and a conservative columnist and vocal opponent of the ABC to the ABC and SBS appointments panel – 02 July, 2014

262. Prohibits Community Legal Centres from using Government funding to advocate for policy or law reform – 02 July, 2014

263. Breaks a promise not to grant permanent permanent residency to people arriving by boat by granting a visa to a least one refugee – 03 July, 2014

264. Grants the Immigration Minister power over the granting of permanent residence allowing him to personally decide the conditions of the test and his decisions will not be subject to appeal – 03 July, 2014

265. Describes Australia as 'unsettled' before the British arrived, during an address to the Australia-Melbourne Institute Conference – 04 July, 2014

266. Creates a strategic communications branch employing 37 people and costing \$4.7 million each year, to oversee communications in the department of Prime Minister and Cabinet despite saying at the 2013 launch of the Liberal Party's book on ALP waste, that they would spend less on spin than the previous government – July 05, 2014

267. Hands over 41 Sri Lankan asylum seekers to the custody of Sri Lankan authorities after screening them at sea and transferring them while still on the water – 07 July, 2014 268. Offends China and many Australians by praising the "skill and honour" of Japanese soldiers who killed 22 000 Australians and hundreds of thousands of Chinese during World War II – 9 July 2014

269. Detains 153 asylum seekers at sea on board a customs ship for a month, despite questions about the legality of this action – July 12, 2014

270. Cuts all funding to Vibe Australia, the Indigenous organisation responsible for creating and producing the Deadly Awards, Deadly Vibe and InVibe magazines, Deadly Sounds radio, Move It Mob Style TV and deadlyvibe.com.au – July 14, 2014

271. Risks up to \$1 billion in revenue through job cuts at the ATO – July 15, 2014

272. Axes the carbon tax with no viable policy to address climate change or Australia's emission targets – 17 July, 2014

273. Allows the suspension of payments to parents whose children do not attend school in the Northern Territory – 19 July 2014



**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 14**

274. Directs all government departments to disclose every contact with every union for any reason over the last decade to the Royal Commission – 28 July 2014

275. Breaks an election promise to amend the race hate laws – 6 August 2014

276. Unemployment hits highest level in 12 years – 7 August 2014

277. Refuses temporary visitors visas for Sri Lankan trade unionists to attend a union conference in Australia because they “do not have enough personal wealth” – 25 August 2014

278. Bans secular workers from the school chaplaincy program – 27 August 2014

279. Repeals the mining tax on the profits of big coal and iron ore companies – 2 September 2014

280. Kills the Low Income Super Contribution payment and the Superannuation Guarantee which aimed to boost the retirement savings of 3.6 million workers who earn \$37,000 per year or less – 2 September 2014

281. Delays superannuation increases for seven years costing workers thousands of dollars in retirement savings – 2 September 2014

282. Fails to provide adequate medical care to asylum seeker Hamid Kehazaei who died after developing an infection from a cut on his foot – 5 September 2014

283. Breaks election promise to build replacement submarines in South Australian shipyards, spending more than \$20 billion on Japanese submarines instead – 8 September, 2014

284. Breaks an election promise to publish a proposal for constitutional recognition for Indigenous people and establish a bipartisan process to try to bring about recognition as soon as possible within the first 12 months of Government – 19 September 2014.

285. Signs a deal with Cambodia to accept Australia's refugees for a payment of \$40 million over 4 years – 26 September, 2014

286. Limits scrutiny of ASIO, expands protections from prosecution for ASIO officers, and allows ASIO greater powers for surveillance with reduced requirements for warrants – 30 September, 2014

287. Spends an estimated \$500 million yearly participating in the conflict in the Middle East while ruling out increasing taxes to pay for – 07 October, 2014

288. Cuts spending on science and innovation to the lowest levels since the data was first published - 07 October, 2014

289. Extends the Royal Commission into Trade Unions for another 12 months and expands the terms of reference despite their being no requests for either – 09 October, 2014

290. Describes coal as “good for humanity” while opening a coal mine in Queensland 13 October, 2014

291. Breaks promise to achieve a surplus in the Government's first year in office, instead overseeing an estimated \$51 billion deterioration in revenue – 11 November, 2014

292. Describes Australia as “nothing but bush” prior to the arrival of the First Fleet when addressing a breakfast for British Prime Minister, David Cameron – 14 November 2014

**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 15**

293. Uses G20 platform to comment on domestic political issues such as the fact people don't like his \$7 GP fee rather than international political issues – 15 November, 2014

294. Refuses to contribute to the fund Green Climate Fund, which Abbott last year described as "socialism masquerading as environmentalism" – 17 November, 2014

295. Slashes funding to the ABC and SBS resulting in job cuts and the axing of programs including state based 7:30 Report and breaking an election promise – 19 November, 2014

296. Cuts CSIRO funding, which means that CSIRO will lose 1/5 of its workforce - 24 November, 2014

297. Reintroduces temporary protection visas for asylum seekers found to be refugees – 4 December 2014

298. Hands the immigration minister unchecked and unappealable powers to prevent refugees arriving by boat from seeking protection and allows him to return people to the country from which they fled – 4 December 2014

299. Introduces special work for the dole rules for regional and remote unemployed people so they have to work twice as many hours as city people in a measure that will mainly affect indigenous people – 6 December 2014  
300. Breaks a key election promise to bring in 26 weeks parental leave paid at a working mother's actual wage – 7 December 2014

301. Breaks an election promise to improve transparency by restricting the transparency of overseas travel expenses after media reports on Christopher Pyne's lavish trip to Europe with his wife – 9 December 2014

302. Cuts the Medicare rebate to doctors by \$5 after he fails to get his \$7 Medicare co-payment through the Senate – 9 December 2014  
303. The unemployment rate hits 6.3 %, it has not been this high since 2002 when Tony Abbott was Minister for Employment and Industrial Relations – 11 December 2014

305. Appoints a former National Party MP who champions an abstinence policy on drugs over harm minimisation to be the new head of the Australian National Council on Drugs – 11 December 2014

306. Appoints the radically right wing John Lloyd from the Institute of Public Affairs to head the Public Service Commission – 12 December 2014

307. Cuts the Australian Government Solicitor – 15 December 2014

308. Cuts the Telework Advisory Panel – 15 December 2014

309. Cut the Protection Zone Committees – 15 December 2015

310. Cuts the Forces Entertainment Board – 15 December 2014

311. Cuts the Antarctic Research Assessment Committee – 15 December 2014

312. Cuts the Australian Antarctic Names and Medals Committee – 15 December 2014

313. Cuts the Biological Diversity Advisory Committee – 15 December 2014

314. Cuts the Climate Adaptation Outlook Independent Expert Group – 15 December 2014

315. Cuts the Australian Sports Anti-Doping Authority Advisory Board – 15 December 2014

316. Cuts the Health and Hospitals Fund Advisory Board – 15 December 2014



**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 16**

- 317. Cuts the National Advisory for Tertiary Education, Skills and Employment – 15 December 2014
- 318. Cuts the Inspector of Transport Security – 15 December 2014
- 319. Cuts the Reconstruction Inspectorate – 15 December 2014
- 320. Cuts the Development Allowance Authority – 15 December 2014
- 321. Abolishes the Artbank Advisory Committee – 15 December 2014
- 322. Abolishes the Australian and New Zealand Standard Diagnostic Procedures Working Group – 15 December 2014
- 323. Abolishes the Benchmarks Working Group which monitors acute hospital performance – 15 December 2014
- 324. Abolishes the Department of Agriculture – Live Animal Export Division – Industry Government Implementation Group – 15 December 2014
- 325. Abolishes the Forestry and Forest Products Committee – 15 December 2014
- 326. Abolishes the National Surveillance and Diagnostics Working Group – 15 December 2014
- 327. Abolishes the Laboratories for Emergency Animal Disease Diagnosis and Response Working Group – 15 December 2014
- 328. Abolishes the National Strategies Working Group – 15 December 2014
- 329. Abolishes the New Test Evaluation Working Group – 15 December 2014
- 330. Abolishes the Rabies Preparedness Working Group – 15 December 2014
- 331. Abolishes the Subcommittee on Animal Health Laboratory Standards – 15 December 2014
- 332. Abolishes the Australian Defence Force Financial Services Consumer Council – 15 December 2014
- 333. Abolishes the Department of Defence Diversity Advisory Group – 15 December 2014
- 334. Abolishes the Committee which was overseeing reform to the repair and maintenance of the Navy's ships – 15 December 2014
- 335. Abolishes the Department of Defence CEO's round table – 15 December 2014
- 336. Abolishes the Standing Council on School Education and Early Childhood Joint Working Group to Provide Advice on Students with Disability – 15 December 2014
- 337. Abolishes the Fair Work Building and Construction Independent Assessor – 15 December 2014
- 338. Abolishes the National Precincts Board – 15 December 2014
- 339. Abolishes the Pharmaceutical Industry Working Group – 15 December 2014
- 340. Abolishes the Bureau of Resources and Energy Economics Advisory Board – 15 December 2014

**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 17**

341. Abolishes the Inter-Jurisdictional Working Group – 15 December 2014
342. Abolishes the Local Government Ministers' Forum – 15 December 2014
343. Abolishes the National Disaster Recovery Taskforce – 15 December 2014
344. Abolishes the Urban Policy Forum – 15 December 2014
345. Abolishes the Australian Council of Local Government – 15 December 2014
346. Abolishes the Official Establishments Trust – 15 December 2014
347. Abolishes the Anzac Centenary Public Fund Board – 15 December 2014
348. Abolishes the Australian National Memorial New Zealand Advisory Panel – 15 December 2014
349. Abolishes the Community Nursing Clinical Advisory Committee – 15 December 2014
350. Abolishes the eHealth Technical Advisory Group – 15 December 2014
351. Abolishes the Gulf War Study Advisory Committee – 15 December 2014
352. Abolishes the Medicines Advice and Therapeutics Education Services Practitioner Reference Group – 15 December 2014
353. Abolishes the Medicines Advice and Therapeutics Education Services Veterans Reference Group – 15 December 2014
354. Abolishes the Medicines Advice and Therapeutics Education Services Writing Group – 15 December 2014
355. Abolishes the Peacekeepers Study Advisory Committee – 15 December 2014
356. Abolishes the research working group – 15 December 2014
357. Dismantles the Vietnam Veterans Education Centre – 15 December 2014
358. Abolishes the Strategic Cross-sectoral Data Committee for Early Childhood, Education and Training – 15 December 2014
359. Dismantles the Australian Qualifications Framework Council – 15 December 2014
360. Wipes out the Education Investment Fund Advisory Board – 15 December 2014
361. Cancels the COAG Select Council on Workplace Relations – 15 December 2014
362. Abolishes the Antarctic Science Advisory Committee – 15 December 2014
363. Abolishes the Bureau of Meteorology Water Accounting Standards Board – 15 December 2014
364. Abolishes the COAG Standing Council on Environment and Water – 15 December 2014
365. Disbands the Commonwealth Environmental Water Stakeholder Reference Panel – 15 December 2014

**Tracking Abbott's Wreckage, Sally McManus, 2013-2015, 18**

366. Abolishes the Emissions Intensive – Trade Exposed Expert Advisory Committee - 15 December 2014
367. Abolishes the Fuel Standards Consultative Committee – 15 December 2014
368. Disbands the Iconic Sites Taskforce – 15 December 2014
369. Gets rid of the Indigenous Water Advisory Committee – 15 December 2014
370. Abolishes the National Landscapes Reference Committee – 15 December 2014
371. Disbands the National Marine Mammal Advisory Committee – 15 December 2014
372. Abolishes the National Marine Mammal Scientific Committee – 15 December 2014
373. Disbands the Australia Awards Board – 15 December 2014
374. Abolishes the Tourism Quality Council of Australia – 15 December 2014
375. Disbands the Anti-Doping Research Panel – 15 December 2014
- 2014 376. Disbands the Department of Human Services Council on Strategy and Innovation – 15 December 2014
377. Abolishes the Gas Market – Industry Reference Group – 15 December 2014
378. Abolishes the Technical Advisory Committee for the Coal Mining Abatement Technology Support Package – 15 December 2014
379. Annuls the Infrastructure Coordinator – 15 December 2014
380. Silences the Northern Australia Indigenous Experts Forum on sustainable Economic Development – 15 December 2014
381. Terminates the Expert Advisory Panel on Northern Australia – 15 December 2014
382. Abolishes the Marine Council – 15 December 2014
383. Dismantles the Northern Australia Ministerial Forum – 15 December 2014
384. Annuls the Regional Australia Standing Council – 15 December 2014
385. Cancels the Australia in the Asian Century Advisory Board – 15 December 2014
386. Abolishes the First Peoples Education Advisory Group – 15 December 2014
- 2014 387. Cancels the Indigenous Development effectiveness Initiative Steering Committee – 15 December 2014
388. Abolishes the Aged Care Standards and Accreditation Agency Ltd – 15 December 2014
389. Cancels the Aged Care Planning Advisory Committee – 15 December 2014
390. Annuls the Aged Care Reform Implementation Council – 15 December 2014
391. Cancels the Healthy Life Better Ageing Committee – 15 December 2014

**Tracking Abbott's Wreckage** Sally McManus, 2013-2015, 19

392. Silences the Minister's Dementia Advisory Group – 15 December 2014
393. Abolishes the National Children and Family Roundtable – 15 December 2014
394. Silences the National Injury Insurance Scheme Advisory Group – 15 December 2014
395. Abolishes the Australian Financial Centre Taskforce – 15 December 2014
396. Abolishes the Current and Former Members of the ADF Emerging Issues Forum – 15 December 2014
397. Cancels the National Health, Aged and Community Care Forum – 15 December 2014
398. Abolishes the Operational Working Party which advises government on the needs of the ex-service community – 15 December 2014
399. Cuts 26 more government bodies down to 6 – 15 December 2014
400. Slashes another \$3.7 billion from overseas aid – 15 December 2014
401. Cuts funding for the National Trade Cadetships programme – 15 December 2014
402. Ceases payments to apprentices under Support for Adult Australian Apprenticeships program – 15 December 2014
403. Abolishes the Australian Workforce and Productivity Agency – 15 December 2015
404. Blows out the deficit to \$40.4 Billion – 15 December 2014
405. Backflips on clamping down on multinational companies who shift profits to avoid paying taxes in Australia – 17 December 2014
406. Appoints a climate skeptic who praised Rupert Murdoch as the “starting point for green innovation” to the position of parliamentary secretary to the minister of the environment – 21 December 2014
407. Defunds peak organisations who advocate for the poor and oppressed including Homelessness Australia, Financial Counselling Australia and National Shelter – 22 December 2014
408. Slashes funding to community organisations that support tens of thousands of vulnerable families and people in crisis causing 2500 community workers to lose their jobs two days before Christmas - 22 December 2014
409. Spends millions on market research and TV advertisements promoting their proposal to uncap university fees – 28 December 2014
410. Votes against a UN resolution calling for the end of the Israeli occupation of Palestine – 31 December 2014
411. Attempts to undermine Medicare by slashing the amount doctors get for consultations – 12 January 2015
412. Announces a freezes to the annual increases to the Medicare schedule – 12 January 2015
413. Undermines court system by commenting on the bail decision of a Victorian magistrate – January 16, 2015
414. Awards a Knighthood to Prince Philip on Australia Day – 26 January 2015

## We Believe

1. *In Australia*, its people and its future.
2. *In the innate worth of the individual*, in the right to be independent, to own property and to achieve, and in the need to encourage initiative and personal responsibility
3. *In the basic freedoms of thought, worship, speech, association and choice*.
4. *In equality of opportunity*, with all Australians having the opportunity to reach their full potential in a tolerant national community.
5. *In a just and humane society*, where those who cannot provide for themselves can live in dignity.
6. *In the family as the primary institution* for fostering the values on which a cohesive society is built.
7. *In the creation of wealth and in competitive enterprise, consumer choice and reward for effort* as the proven means of providing prosperity for all Australians.
8. *In the principle of mutual obligation*, whereby those in receipt of government benefits make some form of contribution to the community in return, where this is appropriate.
9. *In the importance of voluntary effort* and voluntary organisations.
10. *In parliamentary democracy* as the best system for the expression and fulfilment of the aspirations of a free people.
11. *In the separation and distribution of powers* as the best protection for the democratic process.
12. *In a federal system of government and the decentralisation of power*, with local decisions being made at the local level.
13. *In a constitutional head of state* as a symbol of unity and continuity.
14. *In Government being sufficiently responsive* so that it can meet its proper obligations to its citizens.
15. *In Government keeping to its core business* and not competing with the private sector.
16. *In the rule of law and justice*, giving all citizens equal rights under the law, responsibilities to maintain it, and the freedom to change it.
17. *In Australia playing a constructive role in the pursuit and maintenance of international peace* in alliance with other free nations and in assisting less advantaged peoples.
18. *In Liberalism*, with its emphasis on the individual and enterprise, as the political philosophy best able to meet the demands and challenges of the 21st century.

<https://www.liberal.org.au/our-beliefs>

## Our Beliefs

### We Believe:

In the inalienable rights and freedoms of all peoples; and we work towards a lean government that minimises interference in our daily lives; and maximises individual and private sector initiative.

In government that nurtures and encourages its citizens through incentive, rather than putting limits on people through the punishing disincentives of burdensome taxes and the stifling structures of Labor's corporate state and bureaucratic red tape.

In those most basic freedoms of parliamentary democracy - the freedom of thought, worship, speech and association.

In a just and humane society in which the importance of the family and the role of law and justice is maintained.

In equal opportunity for all Australians; and the encouragement and facilitation of wealth so that all may enjoy the highest possible standards of living, health, education and social justice.

That, wherever possible, government should not compete with an efficient private sector; and that businesses and individuals - not government - are the true creators of wealth and employment.

In preserving Australia's natural beauty and the environment for future generations.

That our nation has a constructive role to play in maintaining world peace and democracy through alliance with other free nations.

In short, we simply believe in individual freedom and free enterprise; and if you share this belief, then ours is the Party for you.





The attribution of the IPA documents to **John Roskam, James Paterson and Chris Berg** is perhaps a (deliberately) false attribution. A better surmise for an authorial and incitatory suspect would be Rupert Murdoch as the attributed authors are not media moguls who have pathological interests in completing the establishment of some *DISTRACTATORSHIP OF A TOTAL CRIMINAL MEDIA STATE*, aspirants to such depravity as they may be. (James Patterson was given a senate position in the Parliament of the State of Victoria – meaning that he is a Sworn Subject of the Crown who has admittedly – as he has claimed joint authorship of the IPA incitements – *incited to revolution against the Laws (63 Vic. No.9) and Constitution (63 & 64 VICT. c.12) of the Commonwealth*.

Despite what is said in the (Murdoch) IPA text, the 100 “published” IPA *incitements* are (apparently) *only the published parts* of a much more extensive list of incitements, the execution of which would appear to have been faithfully attempted, if not executed, for foreign interests and powers and for reasons of personal gain, by the Rudd-Abbott-Shorten-Turnbull-Morison régime (from 2013 to 2018 and evidently ongoing).

The (Murdoch) text and the IPA incitements are only a partial record of the IPA’s Conspiracy and Recruitment and Incitement to treacherous and other criminal activities

In some instances the incitement does not match the Execution of it there are some instances of the incitement being the “opposite” of its Execution. The incitement will usually consist of an instruction for the (unlawful) *ABOLITION* of an Act, a Commission, Department, Office, Fund, [conventional] Policy [Position], etc., of the Federal [and/or State, Territory] Government of the Commonwealth of Australia; but abolition may not be what results in the executed action : de-staffing, de-funding, dis-abling ... of the Act Protected and Enabled or Established-Policy Regulated Function, Grant, etc., of the Federal Government is what appears to have taken place. That and a corresponding infiltration of high salaried Public Service roles by IPA operatives.

One insight into how to interpret the revolutionary events between 2012 and 2018 would be to see them, not so much as “*political*” in the sense of *ideological*, but as *totally criminal* – using the Parliaments as a means to effect the theft of vast sums of money, the extraction of mineral and commoditisable resources and the sell-off of Crown Lands and the destruction of the Properties of the Crown the Abrogation of Statutory Rights . The IPA directives are nominal policies, aims and/or tactics of the *revolution against the Laws and Constitution and constituted form of Governance of the Commonwealth of Australia* that were adopted and implemented since 2012 by *revolutionary operatives of interests foreign to the Laws and Constitution of the Commonwealth of Australia* in the Federal Parliament and the Public Service of the Commonwealth of Australia. As we have demonstrated, these revolutionary and criminal activities seem to have been instituted with *Australia Act 1986*, were continued to 1996 and up to 2012 when they took on a more aggressive form – which is something that was facilitated by Murdoch having most of the media under revolutionary control.



The list elements published by the IPA amount to 100; two additional policies as executed by the LPA appear not to have been published (*as such*), but are directly linked to IPA and are entirely consistent with their program.

The unlawful *PRIVATISATION* of Public Assets, Vital Infrastructure, Essential Services ... as promoted in the IPA incitements appear to share in some detail of the Liberal Party of Australia's own unlawful Privatisation Agendas.

To repeat, the IPA DICTATES appear not to be a complete list of policies, but only a part. The actions of the agencies of the IPA (in the Parliaments and Public Service of the Commonwealth and its colonies-States) are Treacherous in themselves, as are the Executions of the Dictates by the IPA agents in (spurious and unlawful) Executive Government (see *<Tracking the Broken Promises of Abbott.pdf>* & *<Tracking the Wreckages of Abbott.pdf>*).

Even if arbitrarily grouped by apparent "area of government" destruction, selected Dictates may appear to not say very much, but contrasted against other lists – of related events and occurrences from the public record – the scale of the destructions is evidence of Significant[, now Chronic] threats to the Peace, Order and Good Government of the Commonwealth of Australia.



# TOTAL REVOLUTION

**Antares Martius**  
(Constitutional Analyst)

## TRANSCRIPT

### **Criminal Code Act, 1995** **An Act relating to the criminal law**

#### **About this compilation**

##### **This compilation**

This is a compilation of the *Criminal Code Act 1995* that shows the text of the law as amended and in force on 5 March 2016 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

##### **Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

##### **Application, saving and transitional provisions for provisions and amendments**

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

##### **Editorial changes**

For more information about any editorial changes made in this compilation, see the endnotes.

##### **Modifications**

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

##### **Self-repealing provisions**

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Authorised Version C2016C00260 registered 08/04/2016

## TRANSCRIPT

**Criminal Code Act, 1995**  
**No. 12, 1995**  
**An Act relating to the criminal law**

**Criminal Code Act 1995**  
**No. 12, 1995**  
**Compilation No. 104**  
**Compilation date:** 5 March 2016  
**Includes amendments up to:** Act No. 15, 2016  
**Registered:** 8 April 2016  
This compilation is in 2 volumes  
**Volume 1: sections 15**  
**Schedule (sections 1.1261.3)**  
Volume 2: Schedule (sections 268.1490.7)  
Schedule (Dictionary)  
Endnotes  
Each volume has its own contents

1 Short title ..... 1

### **1 Short title**

This Act may be cited as the *Criminal Code Act 1995*.

2 Commencement ..... 1

### **2 Commencement**

(1) Subject to subsection (2), this Act commences on a day to be fixed by Proclamation.

(2) If this Act does not commence under subsection (1) within the period of 5 years beginning on the day on which this Act receives the Royal Assent, it commences on the first day after the end of that period.

3 The Criminal Code ..... 1

### **3 The Criminal Code**

(1) The Schedule has effect as a law of the Commonwealth.

(2) The Schedule may be cited as the *Criminal Code*.

3A External Territories..... 1

### **3A External Territories**

The *Criminal Code* extends to every external Territory.

3B Offshore installations ..... 1

### **3B Offshore installations**

Unless the contrary intention appears, an installation (within the meaning of the *Customs Act 1901*) that is deemed by section 5C of the *Customs Act 1901* to be part of Australia is also taken to be part of Australia for the purposes of the *Criminal Code*.

4 Definitions ..... 1

### **4 Definitions**

(1) Expressions used in the Code (or in a particular provision of the Code) that are defined in the Dictionary at the end of the Code have the meanings given to them in the Dictionary.

(2) Definitions in the Code of expressions used in the Code apply to its construction except insofar as the context or subject matter otherwise indicates or requires.

5 Regulations ..... 2

### **5 Regulations**

The Governor-General may make regulations prescribing matters:

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

### **ScheduleThe Criminal Code 3**

#### **Chapter 1Codification 3**

#### **Division 1 3**

1.1 Codification ..... 3

### **ScheduleThe Criminal Code**

#### **Section 3**

#### **Chapter 1Codification**

#### **Division 1**

#### **1.1 Codification**

**The only offences against laws of the Commonwealth are those offences created by, or under the authority of, this Code or any other Act.**

(31 Vic. No. 6.)  
THE ACTS SHORTENING ACT OF 1867

5. *References to former enactments.*

**13 and 14 Vic. c. 21, s. 3.** – When any Imperial Act or any Act of the Legislature or of any former Legislature or any section therein shall be referred to in any Act it shall be sufficient to cite the same by the year of the reign in which such Act was made and the chapter or number of such Act and the number of such section without reciting the title of such Act or the provisions of such section so referred to and the references in all cases shall be made according to the copies of such Acts printed by the Government Printer. Provided that where it is only intended to amend or repeal a portion only of a section it shall still be necessary either to recite such portion or to set forth the matter or thing intended to be amended or repealed.

**Criminal Code Act, 1995**

**No. 12, 1995**

**An Act relating to the criminal law**

Each and every (legitimately Enacted) Act of the Parliaments receives a Formal Titular Designation which serves to distinguish it from all others: e.g., “COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT” which indicates that Act’s Identity as distinct and distinguishable from all other legitimate Acts of the Parliaments.

This “Act” (Criminal Code Act, 1995) ought never have been constructed and/or enacted under the title “Criminal Code Act, 1995”, because the Sovereignising Enactment of the Commonwealth of Australasia is lawfully entitled “THE CRIMINAL CODE ACT, 1899; *An Act to Establish a Code of Criminal Law*”. (THE CRIMINAL CODE is *Schedule I* of THE CRIMINAL CODE ACT, 1899.)

THE CRIMINAL CODE [ACT] OF 1899 is technically and officially an *Act to Declare, Amend and Consolidate the Criminal Law of the Australian Territories: “QUEENSLAND”*, being the Victorian designation for the future Commonwealth of Australia (from 1867 to 1900 the legislature of the colony of Queensland was the primary legislative organ of the Australian Territories) ; *Australasia* being the name for the Oceanic region in which other potential States of the Commonwealth are situated amidst and among the Realm of Her Majesty Queen and Empress Victoria’s Possessions – *Possessions of the Crown of the United Kingdom of Great Britain and Ireland; British Property*. New Zealand, for example, is referred to as a *State of the Commonwealth* in the COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT; this means that New Zealand was intended to belong to the same Commonwealth of Australasian Colonies [-States] as were New South Wales and Victoria.

As THE CRIMINAL CODE OF 1899 (63 Vic. No.9), *Schedule I* of THE CRIMINAL CODE ACT OF 1899 (63 Vic.No.9) may lawfully be cited as "*The Criminal Code*", "**Criminal Code Act, 1995**" *may not* be cited as "Criminal Code Act,1995" and cannot bear the short title of "Criminal Code", as and because **Schedule I** of THE CRIMINAL CODE ACT OF 1899 is the Principle Constitutional Act and already lawfully, and thus exclusively, *MAY BE CITED AS "THE CRIMINAL CODE" which cannot lawfully be appropriated for use by or in any other ACT. (This has not prevented the gutting of some Acts to the retention of a mere Title and a Forward with none of the original Act evident because it has curiously been repealed—Custom is no defence)*

The simple observance of the Law of Identity – that *A is equal to A (A=A)* *disallows* that *A is equal to B (A=B)* when and as *A is not equal to B (A B)*; obfuscating the Law by deliberately concealing the one Act and replacing it with another Act is purposeful deception and, given the context of the action, amounts to nothing more than the crime of treason as defined by and in *The Principle Act* –

As THE CRIMINAL CODE OF 1899 (63 Vic. No.9), *Schedule I* of THE CRIMINAL CODE ACT OF 1899 (63 Vic.No.9) may lawfully be cited as "*The Criminal Code*", "**Criminal Code Act, 1995**" *may not* be cited as "Criminal Code Act,1995" and cannot bear the short title of "Criminal Code", as and because **Schedule I** of THE CRIMINAL CODE ACT OF 1899 is the Principle Constitutional Act and already lawfully, and thus exclusively, *MAY BE CITED AS "THE CRIMINAL CODE" which cannot lawfully be appropriated for use by or in any other ACT. (This has not prevented the gutting of some Acts to the retention of a mere Title and a Forward with none of the original Act evident because it has curiously been repealed)*

The simple observance of the Law of Identity – that *A is equal to A (A=A)* *disallows* that *A is equal to B (A=B)* when and as *A is not equal to B (A B)*; obfuscating the Law by deliberately concealing the one Act and replacing it with another Act is purposeful deception and, given the context of the action, amounts to nothing more than the crime of treason as defined by and in *The Principle Act* –

**(63 Vic. No.9)**  
**THE CRIMINAL CODE, 1899**

[Act to Declare, Amend and Consolidate the Criminal Law of the Commonwealth of Australasia]

**PART II – OFFENCES AGAINST PUBLIC ORDER**  
**CHAPTER VI – TREASON AND OTHER OFFENCES AGAINST THE SOVEREIGN'S PERSON AND AUTHORITY**

**37. Treason**

*Any person who –*

(1) Kills the Sovereign, or does Her any bodily harm tending to Her death, or maim or wounding, or imprisonment or restraint; or

(2) Kills the eldest son and heir-apparent for the time being of the Sovereign, or the Queen Consort of the reigning King; or

(3) Forms an intention to do any such act as aforesaid, and manifests such intention by any overt act; or

(4) Conspires with any other person to kill the Sovereign or to do Her any bodily harm tending to Her death, or maim or wounding, or imprisonment or restraint; or

(5) Levies war against the Sovereign –

(a) With intent to depose the Sovereign from the style, honour, and royal name, of the Imperial Crown of the United Kingdom of Great Britain and Ireland, or of any other of Her Majesty's dominions; or

(b) In order by force or constraint to compel the Sovereign to change Her measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe, any House of Parliament of any of Her Majesty's dominions; or

(6) Conspires with any other person to levy war against the Sovereign with any such intent or purpose at last aforesaid; or

(7) Instigates any foreigner to make an armed invasion of any part of Her Majesty's dominions; or

(8) Assists by any means whatever any public enemy at war with the Sovereign; or

(9) Violates, whether with her consent or not, a Queen Consort, or the wife of the eldest son and heir-apparent for the time being of the Sovereign;

*is guilty of a crime, which is called treason, and is liable to imprisonment with hard labour for life, which cannot be mitigated or varied under section nineteen of this Code.*

**38. Concealment of Treason**

*Any person who –*

(1) Becomes an accessory after the fact to treason; or

(2) Knowing that any person intends to commit treason, does not give information thereof with all reasonable despatch to a justice or use other reasonable endeavours to prevent the commission of the crime;

*is guilty of a crime, and is liable to imprisonment with hard labour for life.*

**CHAPTER LX-INDICTMENTS**

**564. Form of Indictment**

*It is sufficient to describe an offence in the words of this Code or of the Statute defining it.*



**CRIMES ACT 1914**  
An Act relating to Offences against the Commonwealth  
*Part II – Offences against the Government*

**24AA Treachery**

(1) *A person shall not:*

(a) do any act or thing with intent:

(i) to overthrow the Constitution of the Commonwealth by *revolution* or *sabotage*;  
or

(ii) to overthrow by force or violence [or fraud] the established government of the Commonwealth, of a State or of a proclaimed country; ...

(3) A person who contravenes a provision of this section commits an indictable offence, called *treachery*.

*Penalty: Imprisonment for life.*

Here it is important to point out that the word “established” has a particular meaning. A casual or lazy or interested reading (interpretation) could result in the opinion that “established” pertains to whatever *ad hoc* “temporal convenience” or criminal conventionality rules the day. This is *not* the case.

(63 & 64 Vic. c. 12)  
**THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900**

**An Act To Constitute The Commonwealth Of Australia**

[Assented to and Enacted and Established and Commenced *on, as of* and *from* 9 July 1900]

[*Preamble.*]

WHEREAS the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland, and under the Constitution hereby established...

The *lawful* Constitution of the Parliaments is *established by* and *in* (63 & 64 Vic. c. 12). Conventions and convenience arrangements of the Parliaments are unlawful and unconstitutional to the extent of *any* variance with the *as-constituted form* of the Parliaments which is *informed by* earlier legitimate Acts (for example, see THE OFFICIALS IN PARLIAMENT ACT OF 1896).

(63 Vic. No.9)  
THE CRIMINAL CODE, 1899  
CHAPTER VIII-OFFENCES AGAINST THE EXECUTIVE AND LEGISLATIVE POWER

*55. Interference with the Legislature*

*Any person who advisedly, by force or fraud, interferes or attempts to interfere with the free exercise by either House of Parliament of their authority, or with the free exercise by any member of either House of his duties or authority as such member, or as a member of a Committee of either House, or of a joint Committee of both Houses,*

*is guilty of a misdemeanour, and is liable to imprisonment for three years.*

*The offender may be, and it is hereby declared always was liable to be, arrested without warrant.*

CHAPTER LXIII-EVIDENCE: PRESUMPTIONS OF FACT

*643. Intention to defraud*

On the trial of a person charged with any offence of which an intent to injure or deceive or defraud, or an intent to enable another person to deceive or defraud, is an element, it is not necessary to prove an intent to injure or deceive or defraud any particular person, or an intent to enable any particular person to deceive or defraud any particular person.

**Criminal Code Act, 1995**  
**No. 12, 1995**

Each and every (legitimately Enacted) Act of the Parliaments receives a numerical designation which separates it from all others: e.g., “Judiciary Act 1903, Act No. 6 of 1903 ...” which indicates that Act’s place in a sequential order of Acts Enacted by each of the Parliaments. “Criminal Code Act, 1995” has the designation “No. 12, 1995”, but it is doubtful that it is the *same Act* with the *same purpose* in 2016, as what has been fraudulently “*amended*” (sic.) into it and criminally chopped out of it between 1995 and 2016 makes the “Act” something else entirely than what it was when it was initially Enacted (if in fact it was lawfully enacted to begin with). For example, “Judiciary Act 1903, Act No. 6 of 1903 as amended” (e.g., between 1903 and 2005) is the appropriate mode of publication for an Act which has been amended over time and which (presumably) retains its original purpose and function (roughly speaking, because several sections of this Act have been amended in a manner which is repugnant to the legitimate Laws and Constitution of the Commonwealth).

## **Criminal Code Act, 1995**

An Act relating to the criminal law  
Authorised Version C2016C00260

Given that THE CRIMINAL CODE ACT OF 1899 (63 Vic.No.9), (as "An Act to Establish a Code of Criminal Law") was *lawfully* Declared, Consolidated and Amended with *Royal Assent* and Enactment ("by the Queen's Most Excellent Majesty") and Parliamentary Enactment ("by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled") - 28 November 1899 (which is to be appropriately cited as "*The Criminal Code Act, 1899*", and the scheduled Code of which is to be appropriately cited as "*The Criminal Code*"), and which is to be *Commenced* 1 January 1901 - how does "**Criminal Code Act, 1995, An Act relating to the criminal law**" - which provides no indication of having been *Royally Assented to* - in 1995 become "*The Criminal Code*" [of the Commonwealth] in 2016 ?

The dominion of Canada modified its CRIMINAL CODE OF 1892 (55 & 56 VICT. c.29), "An Act respecting the Criminal Law [Assented to 9 July 1892, Commenced 1 July 1893] with "Criminal Code, R.S.C.1985, c.C-46, An Act respecting the Criminal Law", retaining its title and continuing the purpose of the original.

The dates of Royal Assent and Commencement are not readily apparent from the publication that we have, but the following section is an interesting contrast to the so called "Criminal Code Act, 1995":

**Criminal Code, R.S.C. 1985, c. C-46**  
An Act respecting the Criminal Law

**2009, c. 28, s. 12**

Review

12. Within five years after the day on which this Act receives royal assent, a comprehensive review of its provisions and operation shall be undertaken by the committee of the Senate, of the House of Commons or of both Houses of Parliament that is designated or established by the Senate or the House of Commons, or by both Houses of Parliament, as the case may be, for that purpose.

This notion of *review* is nowhere to be found in "Criminal Code Act, 1995", it is plausible to suggest that no one has read it and that no one will ever review it, except perhaps to interestedly or conveniently interpret it according to the caprice of the moment, and to falsely amend more arbitrary and interested intimidation "laws" into it.

## **Criminal Code Act 1995**

An Act relating to the criminal law

Authorised Version C2016C00260

### **2 Commencement**

(1) Subject to subsection (2), this Act commences on a day to be fixed by Proclamation.

(2) If this Act does not commence under subsection (1) within the period of 5 years beginning on the day on which this Act receives the Royal Assent, it commences on the first day after the end of that period.

From the authorisation of *what Act* are the “amendments” between 1995 and 2016 made to “Criminal Code Act 1995”?

From whence does the person or organisation who has unlawfully concealed and sabotaged **THE CRIMINAL CODE [ACT], 1899 (63 Vic. No.9)** and replaced it with this simplified-English arbitrary musical-esque-non-sense “Criminal Code Act 1995” derive any authority to do so ?

A more or less unknown party-political operative in the illegitimate and unlawful-unconstitutional guise of Federal Attorney-General acting on “editorial allowances” conceals criminal and civil law statutes of **THE CRIMINAL CODE [ACT], 1899 (63 Vic. No.9)**, inserts some 1200 “ammendments” into an unlawful and un-Assented to Act (“Criminal Code Act 1995”) and distorts statutory law into meaningless drivel and raises this false-act to “sovereign law”, all while *none of it* is even Enacted and Commenced by Law !

The so called “Criminal Code Act, 1995” must have an Official history: for example, the Act would have to have a date of Royal Assent *if* it had been Lawfully Enacted and a date of Enactment and hence a date of Declaration and a date of Commencement – the “publication” in question (**Authorised Version C2016C00260**) displays no such date until we arrive at page 437 of Volume 2 where we can find the (alleged) date of Governor-General or partial “Assent” as “15 Mar 1995” and the date of commencement of the original Act (Criminal Code Act, 1995) as “1 Jan 1997 (gaz 1996, No.S534)”. The Act, after almost twenty-five years, still does not have Royal Assent, and loaded up with more than a thousand unseen “amendments”, this false and unlawful Act is null and void, in-effectual and in-operative. That the Act still does not have the Royal Assent, it would be correct to surmise that this total revolution has been in play for many years

If we compare CRIMINAL CODE ACT, 1899 (63 Vic.No.9) to the so called "Criminal Code Act 1995", all of the significant and relevant information which details the Official history of the former Enactment is noted and evident in the text of *the first page*. But in the latter document, we have to plough through 823 pages to find what looks like what we are searching for. On page 437 of Volume 2 (or on page 823 of 887 pages) of the so called "Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016", we get to partially solve the puzzle of the matter of Assent: Royal Assent is only a term affixed to some of the listed Amendments and not others: "Criminal Code Act, 1995" is noted with *Assent*, but not with *Royal Assent* ... Is this a significant omission or a typographical error? Federally the Passage of Bills is unaffected by Australia Act 1986, and the Parliament does not have exclusive authority, or any constitutional Authority over the Criminal or Civil or Constitutional Law. Or perhaps it could be a "*mis-described editorialisation*"? Of the many so called "Acts" listed from page 823, most of them are not marked with "Royal Assent" and only some of them with "Assent". On the basis of some man's partial Assent nearly twenty-five years ago, laws which are probaably not fit for decent society are palmed-off as though nothing has happened .... In passing, the unlawful, anti-constitutional, fraudulent and revolutionary "Australia Act 1986" does not relieve the Parliament of the Commonwealth of any of its responsibilities

*That and because "Criminal Code Act 1995, No. 12, 1995" has never received Lawful Royal Assent, it has never been a legitimated or lawful or valid Act. That and because "Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016"* is effectively no more than the *criminal Trojan law* of revolutionary operatives, it can never receive lawful or authentic Royal Assent. We reasonably suspect that the criminals will falsify the Royal Assent in order to "fraudulently authenticate" their treachery against the Crown, Sovereign Laws, Constitution and Persons of the Commonwealth). As it stands, the spurious "Assent" that it supposedly received in 1997 is *not competent* to replace and eradicate the Principle Constituting Act of the Commonwealth.

Given that CRIMINAL CODE ACT, 1899 (63 Vic.No.9) is *The Principle [Sovereignising] Act of the Commonwealth of Australia ["QUEENSLAND"]*, that it is the fundamental Constitutional Act (constituting the Sovereignty, the Civil and Criminal Law) and the Lawful Principle *under-pinning* and *founding* all subsequent Law in the Commonwealth, it becomes clear that its elimination or replacement (*by any means*) would be a *criminal matter* (63 Vic.No.9) and a *Constitutional matter*, and thus *any minor alteration* to it would become a matter of Constitutional Law and very careful and minute examination. Any alteration of the Lawful Constitutionality of the Commonwealth would have to strictly adhere to the Constitutional Statute for altering any aspect of the Constitution of the Commonwealth -

(63 & 64 VICT. c. 12)  
**COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT**  
An Act to constitute the Commonwealth of Australia

**CHAPTER VIII-ALTERATION OF THE CONSTITUTION**

**128. Mode of altering the Constitution**

***This Constitution shall not be altered except in the following manner :—***

*The proposed law for the alteration thereof must be passed by an absolute majority of each House of the Parliament, and not less than two nor more than six months after its passage through both Houses the proposed law shall be submitted in each State to the electors qualified to vote for the election of members of the House of Representatives.*

*But if either House passes any such proposed law by an absolute majority, and the other House rejects or fails to pass it, or passes it with any amendment to which the first-mentioned House will not agree, and if after an interval of three months the first-mentioned House in the same or the next session again passes the proposed law by an absolute majority with or without any amendment which has been made or agreed to by the other House, and such other House rejects or fails to pass it or passes it with any amendment to which the first-mentioned House will not agree, the Governor-General may submit the proposed law as last proposed by the first-mentioned House, and either with or without any amendments subsequently agreed to by both Houses, to the electors in each State qualified to vote for the election of the House of Representatives.*

*When a proposed law is submitted to the electors the vote shall be taken in such manner as the Parliament prescribes. But until the qualification of electors of members of the House of Representatives becomes uniform throughout the Commonwealth, only one-half the electors voting for and against the proposed law shall be counted in any State in which adult suffrage prevails.*

*And if in a majority of the States a majority of the electors voting approve the proposed law, and if a majority of all the electors voting also approve the proposed law, it shall be presented to the Governor-General for the Queen's assent.*

*No alteration diminishing the proportionate representation of any State in either House of the Parliament, or the minimum number of representatives of a State in the House of Representatives, or increasing, diminishing, or otherwise altering the limits of the State, or in any manner affecting the provisions of the Constitution in relation thereto, shall become law unless the majority of the electors voting in that State approve the proposed law.*

This, of course is nothing to the criminals who are in the process of unlawfully butchering the Constitution by eliminating the Disqualification Statutes, so that nothing will prevent them from fraudulently being "elected" for life, no matter what crimes they commit, and no matter how criminally foreign to the Commonwealth they are.



One cannot fail to notice here that the question of *lawful alterations* to the **COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT (63 & 64 VICT. c. 12)** does not concern the matter of changing or replacing any part of itself or the entire Constitution with a part or one which is *foreign to* the Lawfully Enacted one: *the Commonwealth is not Constituted as a "republic of criminals" or as a Stalinistic dictatorship*, and these forms of changes to the Constitution (63 Vic.No.9) & (63 & 64 VICT. c. 12) are unlawful and unconstitutional; and such minor and/or major changes to it that *are unlawful and foreign to it and are foreign to it and are unlawful!* The Parliaments of the *Commonwealth are to be as they are Constituted by* (63 & 64 VICT. c. 12) under (63 Vic. No.9): *the specific Constitutionality that it is Constituted as*, with the only lawful, legitimate, competent form of "Parliaments" of the Commonwealth being Lawfully Prescribed *in* and *as* and *by* -

(63 Vic. No.9)  
**THE CRIMINAL CODE ACT, 1899**

*Establishment of Code. [Schedule I.]*

On and from the first day of January, one thousand nine hundred and one [1 January 1901], the provisions contained in the Code of Criminal Law set forth in the First Schedule to this Act, and hereinafter called "the Code," shall be the [Civil and Criminal] law of Queensland [the future Commonwealth of Australasia] with respect to the several matters therein dealt with.

The said Code may be cited as "*The Criminal Code*".

**5. Provisions of Code exclusive with certain exceptions.**

From and after the coming into operation of the Code [01 January 1901], no person shall be liable to be tried or punished in Queensland as for an indictable offence except under the express provisions of the Code or some other Statute Law of Queensland, or under the express provisions of some Statute of the United Kingdom which is expressly applied to Queensland, or which is in force in all parts of Her Majesty's Dominions not expressly excepted from its operation, or which authorises the trial and punishment in Queensland of offenders who have at places not in Queensland committed offences against the laws of the United Kingdom.

(63 & 64 VICT. c. 12)  
**COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT**  
Enacted & Declared & Established 9 July 1900  
**5. Operation of the constitution and laws.**

This Act [as founded upon and within **THE CRIMINAL CODE ACT, 1899 (63 Vic.No.9)**], and all laws made by the [legitimate] Parliament of the Commonwealth **under the Constitution**, shall be binding on the courts, judges, and people of every State and of every part of the Commonwealth, notwithstanding [in spite of] anything in the laws of any State; and the laws of the Commonwealth [63 Vic.No.9] shall be in force on all British ships, the Queen's ships of war excepted, whose first port of clearance and whose port of destination are in the Commonwealth.

CHAPTER I  
THE PARLIAMENT  
PART I-GENERAL

*Legislative Power*

The legislative power of the Commonwealth shall be vested in a Federal Parliament, which shall consist of the Queen, a Senate, and a House of Representatives, and which is herein-after called "The Parliament," or "The Parliament of the Commonwealth."

PART V-POWERS OF THE PARLIAMENT

*51. Exclusive powers of the Parliament*

The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth...

*Governor-General*

A Governor-General [optionally] appointed by the Queen shall be Her Majesty's representative in the Commonwealth, and shall have and may exercise in the Commonwealth during the Queen's pleasure, but **subject to this Constitution**, such powers and functions of the Queen as Her Majesty may be pleased to assign to him.

It is *certainly not Lawful or the Lawfully Constitutional role* of those in the houses of the Parliaments of the Commonwealth and its States, those who are Sworn to Fidelity and True Allegiance, Obedience and Adherence *TO THE CROWN* (the Monarch and the Sovereign Rule of Constituted Law) to determine that they would prefer a Maoist or NAZI form of "government"(sic.) or a Kafka-esque Rule of Totalitarian Dementia as a convenient substitute for the Constituted Rule of Law of the Commonwealth. *No defence* can here be mounted to the effect of it "*not being unlawful*" to *subvert* and/or *mutilate* and/or *destroy* by force or fraud the lawfully Enacted Constitutionality of the Commonwealth.

The sense of the application of the law that can be found throughout **CRIMINAL CODE, 1899** is that if the effects of an act or omission to perform a duty are the same as those that would proceed from the commission of a crime, then that act or omission is prosecutable as either a crime or a misdemeanour: there are no loop-holes.



An interesting point to be made (again) here is in reference to the Enactment of THE CRIMINAL CODE ACT, 1899 (63 Vic. No.9) and COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT (63 & 64 VICT. c. 12) which have, respectively and correctly, the words of the texts:

(63 Vic. No.9)  
THE CRIMINAL CODE ACT, 1899  
[Assented to 28 November, 1899] ...

Be it enacted and declared by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows .... On and from the first day of January, one thousand nine hundred and one, [1 January 1901] the provisions contained in the Code of Criminal Law set forth in the First Schedule to this Act, and hereinafter called "the Code," shall be the law of Queensland with respect to the several matters therein dealt with."; and

(63 & 64 VICT. c. 12)  
COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT  
"La Reyne le veult [9 July 1900] ...

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows ..."

Thus, date of Establishment is the same as date of Royal Assent, Enactment and Declaration, unless otherwise specified: does the difference between the "Acts" referred to in the "Endnote 3, Legislation history" of "Criminal Code Act, 1995" (which are included in the "Assent" column and those which are noted in the "Commencement" column) demonstrate that several therein listed received "Royal Assent" and most received only (some other species of) Assent? IF and AS the "authorised" text specifies and differentiates between *Assent* and *Royal Assent* for several "Acts" and does not employ either of these terms for *most of the entries in the Table*, we are left to assume that *most of the "Acts" have not received Royal Assent and that some have received the Royal Assent and that some of them have only received some kind of Assent.*

If, in order to understand the Laws of the Commonwealth, and in order to be able to ascertain which of them have been Lawfully Enacted, one is required to be an Officer of the Crown Law (or the "First Parliamentary Council" whatever that is supposed to mean), there is little chance that anyone will know the law ... or perhaps that is the desired effect? That only those who are mercenaries revolutionaries and mercenary lawyers can *know* the law?

Given the deplorable obscurantism now pervading this “Act”, it really requires that it and all Acts of all of the Parliaments of the Commonwealth be rigorously reviewed with a view to revealing the extent of the damages accrued since 1900 and in particular since 2012 and with the intention of returning the Laws of the Commonwealth to their Constitutional Principles of Truth and Justice.

How is the Law to be understood if it’s date of commencement by Enactment and Proclamation are not easily discerned? Or is the Law in the Commonwealth now such that the Persons thereof can be prosecuted, indicted or simply jailed without charge for “crimes” which were not Pronounced and Declared as such when they were *allegedly* committed?

Presumably, “Criminal Code Act, 1995” would have been (legitimately) Enacted as “Criminal Code Act, 1995; [Act] No. 12, 1995; An Act relating to the criminal law” at some time near to 1995; the form of it that was supposedly “registered” (8 April 2016) cannot bear great resemblance to and cannot be lawfully equated with the originally “Enacted” Act, *as* it was Enacted. So, we are expected to accept that an Act (“Criminal Code Act, 1995”) which was never finally *Assented to* can be *finally Assented to* at some stage in the future while it bears little resemblance to itself (as it was in 1995), containing as it does apparently 1200 or so “amendments” which were not authorised by any Act and which were not already amended into itself in 1995? And, be it said, 1200 or so “ammendments” to the Criminal and Civil Law which cannot even be read before some final and future Assent and/or some commencement five years to the day after some future Assent? This is not competent and unlawful alterations to the Laws of the Commonwealth are serious Commonwealth Offences...

CRIMES ACT 1914  
(Act No. 12 of 1914)

*15HB What is a serious Commonwealth offence or  
a serious State offence that has a federal aspect?*

(1) For the purposes of this Part, serious Commonwealth offence means an offence against a law of the Commonwealth:

(a) that involves theft, fraud, tax evasion, currency violations, controlled substances, illegal gambling, obtaining financial benefit by vice engaged in by others, extortion, money laundering, perverting the course of justice, bribery or corruption of, or by, an officer of the Commonwealth, an officer of a State or an officer of a Territory, bankruptcy and company violations, harbouring of criminals, forgery including forging of passports, armament dealings, illegal importation or exportation of fauna into or out of Australia, espionage, sabotage or threats to national security, misuse of a computer or electronic communications, people smuggling, slavery, piracy, the organisation, financing or perpetration of sexual servitude or child sex tourism, dealings in child pornography or material depicting child abuse, importation of prohibited imports or exportation of prohibited exports, or that involves matters of the same general nature as one or more of the foregoing or that is of any other prescribed kind; and

(b) that is punishable on conviction by imprisonment for a period of 3 years or more.

*As we have it now –*

Criminal Code Act, 1995;  
No. 12, 1995;  
An Act relating to the criminal law;  
Compilation No. 104;  
Compilation date: 5 March 2016;  
Includes amendments up to: Act No. 15, 2016;  
Authorised Version C2016C00260  
Registered: 8 April 2016

*“Criminal Code Act, 1995, An Act relating to the criminal law” is now (ostensibly) a “compilation” of selected parts of the Law [of the Commonwealth] which is not even hinted at in the (accidentally?) retained title “An Act relating to the criminal law” of the original “Act” (Criminal Code Act, 1995; No.12, 1995).*

While it may be lawful to “compile the law” lawfully, it is not lawful to use one Act of the Parliament (Criminal Code Act, 1995; No.12, 1995) to –

a) covertly conceal, alter, or substitute the Constitutional Enactment of the Sovereignty and the Criminal and Civil Laws of the Commonwealth (THE CRIMINAL CODE, 1899 (63 Vic. No.9)) or any part thereof therewith; and

b) conceal an unlawfully subversive, revolutionary and stupidised substitution of the Constituted Statutory, Civil, Criminal and Constitutional CODE OF LAW of the Commonwealth (63 Vic. No.9) and to pass it off as “the law” within an unlawfully and “conveniently” titled earlier Act (Criminal Code Act, 1995; No.12, 1995); and

c) pass-off fraudulent intimidatory threats as “laws which are in effect” when they are most certainly not in effect and most certainly are not even lawful.

**Criminal Code Act 1995**

An Act relating to the criminal law

**2 Commencement**

(1) Subject to subsection (2), this Act commences on a day to be fixed by Proclamation.

(2) If this Act does not commence under subsection (1) within the period of 5 years beginning on the day on which this Act receives the Royal Assent, it commences on the first day after the end of that period.

**Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

If this device of “uncommenced amendment” is not in the original statutes of “Criminal Code Act, 1995” *it cannot be lawfully implemented* in the 2016 “compilation” version of “Criminal Code Act, 1995; Authorised Version C2016C00260 registered 08/04/2016”, or in any other Act prior to the one which assumes this bizzarre authority.

In a coherently and lawfully drafted, Royally Assented to, Enacted and Declared Act of one year, there can be no later lawful insertion into that Act which greatly expands or arbitrarily ambiguates or alters destroys the original sense of it. An Act of one year may be “amended” in subsequent years according to needful considerations and according to strict amendment procedures: each amendment to an Act requires a legitimate amending Act with a specifically stated purpose and scope. The Laws cannot be treated as the hobby-horse of any ideologically fanatical organisation, unlawfully holding positions in the Parliaments (or any part of the Governments of the Commonwealth), in revolution against the Crown they are sworn to be in allegiance to.

#### **Criminal Code Act 1995**

An Act relating to the criminal law

Authorised Version C2016C00260

Registered: 8 April 2016

#### **2 Commencement**

(1) Subject to subsection (2), this Act commences on a day to be fixed by Proclamation.

(2) If this Act does not commence under subsection (1) within the period of 5 years beginning on the day on which this Act receives the Royal Assent, it commences on the first day after the end of that period.

In English, if this “Act” is *not* commenced by proclamation *after receiving Royal Assent*, the “Act” *then* commences on the day after the period of five years after it receives Royal Assent.

WHAT ? This is criminally insane idiocy. If it was a valid and legitimate Act of the Parliament, why would it *automatically commence* five years and one day after it was Royally Assented to ?

Is evidence that the revolutionaries are waiting for Her Majesty Queen Elizabeth II to abdicate, so that in the transitional confusion they can fraudulently use the Great Seal to fake the Royal Assent and complete their despicable revolutionary mission. We suspect that many documents may have gone missing and/or have been destroyed (e.g., )

This is supposed to be a covert war against the Crown, the Laws, the Constitution and the People of the Commonwealth ?

These are the same saboteurs who are currently in the process of unlawfully altering the Constitution of the Commonwealth by abolishing the Disqualification Statutes to prevent any of them from being disqualifiable on the grounds of being foreign nationals and/or criminals.

This is the same criminal organisation that intends to pass legislation preventing anyone from publishing any information that they would deem to be an embarrassment to themselves. In 2016 the false intimidation laws appear to carry a sentence of one year, by 2018 the same people (effectively) were seeking to increase the sentence to between fourteen years and life.—effectively, for being accused of and jailed for saying anything to anyone which could be deemed “embarrassing” to certain parties...

Why would ANY valid or lawful “*amendment*” or Enactment NOT follow lawful enactment procedure ? The legitimate proposal of a Bill by legitimate Authority; the legitimate and qualified examination of the legality and constitutional validity of the contents and scope of that Bill; the passage or not of that Bill by legitimate members and senators of the Parliaments; the legitimate Gubernatorial Assent or With-holding of that Assent for the Pleasure of the Crown; Royal assent or not, Enactment or not and necessary declaration and publication of clear and concise Declared Law ?

Why would any *lawful* “amendment” or Enactment be “*uncommenced*” ? Given the apparent number of un-specified “amendments” that have been pasted and piled into into “Criminal Code Act, 1995”, and given the apparent lack of all and any lawful and/or appropriate authorisation for such, are we to understand that the form that “Criminal Code Act, 1995; Authorised Version C2016C00260 registered 08/04/2016” has attained in 2016 has commenced at some definite point in time or will commence at some determinable point in time ?

#### **Criminal Code Act 1995**

An Act relating to the criminal law

Authorised Version C2016C00260

Registered: 8 April 2016

#### **2 Commencement**

(1) Subject to subsection (2), this Act commences on a day to be fixed by Proclamation.

(2) If this Act does not commence under subsection (1) within the period of 5 years beginning on the day on which this Act receives the Royal Assent, it commences on the first day after the end of that period.

In English, if this “Act” is *not* commenced by proclamation *after receiving Royal Assent*, the “Act” *then* commences on the day after the period of five years after it receives Royal Assent.

WHAT ? This is criminally insane idiocy. If it was a valid and legitimate Act of the Parliament, why would it *automatically commence* five years and one day after it was Royally Assented to ?

This is evidence that the revolutionaries are waiting for Her Majesty Queen Elizabeth II to abdicate, so that in the transitional confusion they can fraudulently use the Great Seal to fake the Royal Assent and complete their despicable revolutionary mission.

This is supposed to be a covert war against the Crown, the Laws, the Constitution and the People of the Commonwealth ?

These are the same saboteurs who are currently in the process of unlawfully altering the Constitution of the Commonwealth by abolishing the Disqualification Statutes to prevent any of them from being disqualifiable on the grounds of being foreign nationals and/or criminals.

This is the same criminal organisation that intends to pass legislation preventing anyone from publishing any information that they would deem to be an embarrassment to themselves.

Why would ANY valid or lawful “*amendment*” or Enactment NOT follow lawful enactment procedure ? The legitimate proposal of a Bill by legitimate Authority; the legitimate and qualified examination of the legality and constitutional validity of the contents and scope of that Bill; the passage or not of that Bill by legitimate members and senators of the Parliaments; the legitimate Gubernatorial Assent or With-holding of that Assent for the Pleasure of the Crown; Royal assent or not, Enactment or not and necessary declaration and publication of clear and concise Declared Law ?

Why would any *lawful* “amendment” or Enactment be “*uncommenced*” ? Given the apparent number of un-specified “amendments” that have been pasted and piled into into “Criminal Code Act, 1995”, and given the apparent lack of all and any lawful and/or appropriate authorisation for such, are we to understand that the form that “Criminal Code Act, 1995; Authorised Version C2016C00260 registered 08/04/2016” has attained in 2016 has commenced at some definite point in time or will commence at some determinable point in time ?

This is evidence that the revolutionaries are waiting for Her Majesty Queen Elizabeth II to abdicate, so that in the transitional confusion they can fraudulently use the Great Seal to fake the Royal Assent and complete their despicable revolutionary mission.

This is supposed to be a covert war against the Crown, the Laws, the Constitution and the People of the Commonwealth ?

These are the same saboteurs who are currently in the process of unlawfully altering the Constitution of the Commonwealth by abolishing the Disqualification Statutes to prevent any of them from being disqualifiable on the grounds of being foreign nationals and/or criminals.

This is the same criminal organisation that intends to pass legislation preventing anyone from publishing any information that *they* (the criminals) would deem to be an embarrassment to themselves, regardless of whether that information is *true and in the public interest* or not. Abolishing the Defamation Statutes means abolishing statutory rights and also disposing the legal reality of “good faith”.

Consider this demented and paranoid “statute” which is little other than an intimidation against reporting the criminal activities of those unlawfully sabotaging the Laws, Constitution and Parliaments:



Why would ANY valid or lawful *“amendment”* or Enactment NOT follow lawful enactment procedure ? The legitimate proposal of a Bill by legitimate Authority; the legitimate and qualified examination of the legality and constitutional validity of the contents and scope of that Bill; the passage or not of that Bill by legitimate members and senators of the Parliaments; the legitimate Gubernatorial Assent or With-holding of that Assent for the Pleasure of the Crown; Royal assent or not, Enactment or not and necessary declaration and publication of clear and concise Declared Law ?

Why would any *lawful* “amendment” or Enactment be *“uncommenced” for five years after receiving the Royal Assent* ? Such criminal-serving “laws” would never receive any “assent” to begin with. Given the apparent number of un-specified “amendments” that have been pasted and piled into into “Criminal Code Act, 1995”, and given the apparent lack of all and any lawful and/or appropriate authorisation for such, are we to understand that the form that “Criminal Code Act, 1995; Authorised Version C2016C00260 registered 08/04/2016” has attained in 2016 has commenced at some definite point in time or will commence at some determinable point in time?

Criminal Code Act, 1995  
Includes amendments up to: Act No. 15, 2016  
Compilation No. 104  
Compilation date: 5 March 2016

The explicatory title of “**Criminal Code Act, 1995**”, “**An Act relating to the criminal law**” does not indicate that the said “**Criminal Code Act, 1995**” is or was intended to be a “compilation of the Criminal Law [of the Commonwealth]”. Nor is there any indication (except in the title of the Act which conveniently assumes a title which it may not be designated by) in that title that “**Criminal Code Act, 1995**” is any “compilation of the Criminal Law”. There is further necessary concern pertaining to the designation, “**Compilation No. 104**”.

And where is the preamble to this “code”? There is none. Why would this be “compiled out of it”? Keeping in mind that the Commonwealth of Australia (with the lawful enactment of THE CRIMINAL CODE [ACT] OF 1899) is not a “common law jurisdiction” (as all of the officialese propagandists proclaim), and that the Sovereign Laws are all Laws of the Commonwealth, why these fake laws that pretend to be *in-effect* statutes?

*Has nothing been spared from this criminal and anarchic regime of revolutionary desecration?*

“Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016” appears to contain *more than 1200* of these “*amendments*”. “Crimes Act 1914; Authorised Version C2016C00484 registered 18/05/2016” appears to contain *more than 1400* of such “un-commenced, mis-described amendments” and is prefaced with the same editorial licence and the same “uncommenced commencement” provision which appears to intend to make it possible for an Enacted Act of one date to be *re-enacted* with entirely different or modified contents at an un-specified date in the future.

As “Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016” is “**Compilation No. 104**” and “Crimes Act 1914; Authorised Version C2016C00484 registered 18/05/2016” is “**Compilation No. 111**”, this means that there are *at least one hundred and eleven* of these “compilations” which will “commence” or come into effect according to the “provision” of

#### **Criminal Code Act 1995**

An Act relating to the criminal law

2 Commencement

- (1) Subject to subsection (2), this Act commences on a day to be fixed by Proclamation.
- (2) If this Act does not commence under subsection (1) within the period of 5 years beginning on the day on which this Act receives the Royal Assent, it commences on the first day after the end of that period.

#### **Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.



## Criminal Code Act 1995

p.1

This compilation includes commenced amendments made by Act No. 126, 2015

p.2

### Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law

p. 436

(md)= misdescribed amendment can be given effect

(p. 442)

"Endnote 2—Abbreviation key"

"(md not incorp) = misdescribed amendment cannot be given effect".

### 2 Commencement

(1) Subject to subsection (2), this Act commences on a day to be fixed by Proclamation.

(2) If this Act does not commence under subsection (1) within the period of 5 years beginning on the day on which this Act receives the Royal Assent, it commences on the first day after the end of that period.

A Legitimately and Constitutionally compliant Law cannot be Enacted by sleight of hand, or unlawfully (against the legitimate and Lawfully Enacted Statutes): any law and amendment thereto must bear the marks of its validity: it must be appropriately termed, it must be clearly defined, it must be accessible; it may not permit of retro-active prosecutions, it must not allow for arbitrary-because-vague/ideological-/politically- motivated actions and prosecutions against Persons of the Commonwealth exercising their Enacted and Protected (Political) Rights, Legal Duties and Lawful Obligations ...

Criminal Code Act, 1995

### 3 The Criminal Code

(1) The Schedule has effect as a law of the Commonwealth.

It is essential that the Law must be accessible and sensible; this is not evident in the resultant, published document of "**Criminal Code Act, 1995; Authorised Version C2016C00260 registered 08/04/2016**": it is such a confused and confusing piece of fake "legislation" (sic.) which refers the reader to notes which are merely dotted lines and senseless abbreviations and to extra-external web-pages, and given that the notes on and references to *Uncommenced Amendments* are effective and deliberate gibberish, and given that the entire document is (now) in such senseless dis-array and that the authors clearly do not intend to understand the Law of the Land **OR** the Constitution of the Commonwealth, it must be **ABOLISHED in its entirety from the initial Act, including all of its amendments.**

To go one necessary step further and insist that, any and all "laws" passed by or abolished or amended or even looked at by this *totalitarian clown performance* since (at least) 2012 must be abolished and the entire compendium of the Laws of the Commonwealth and its States must be reviewed against the authentic laws and Constitution of the Commonwealth.

Criminal Code Act, 1995

Authorised Version C2016C00260 registered 08/04/2016

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. ***The changes must not change the effect of the law.*** Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Criminal Code Act, 1995 v.2

Dictionary (pp. 418-433)

What possible relevance does the task or function of “*editorialisation*” have to the Law of the Commonwealth? Is the Law of the Commonwealth now a glossy propaganda magazine for the display of the accomplishments of the saboteur-employees of Foreign Interests and Powers ? Perhaps so...

***“The changes must not change the effect of the law”***

As the Legitimate Crown and Sovereign Rule of Law of the Commonwealth is THE CRIMINAL CODE [ACT] OF 1899 (63 Vic. No.9), and as this is the foundation of COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT (63 & 64 VICT. c.12) and all subsequent laws and Acts made by the Parliaments of the Commonwealth, and as these two Acts are *the Constitution of the Commonwealth*, to effect any arbitrary or ideological or revolutionary or mercenary changes to the text of the law as it is assented to affects the application and consequently the correct understanding of either Act is to “*change the effect of the law*”. The wording of the Statutes affects how the law is applied and understood: to selectively paraphrase and interestedly editorialise and redact and compile such editorialisations in place of the texts of the Law is to “*change the effect of the laws*”.

While it may be possible to (more or less) accurately paraphrase a statute or rule without damaging the original wording and sense and effect of it, this is not what has been done in “Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016” which seeks to selectively and deliberately alter the Laws of the Commonwealth (63 & 64 VICT. c. 12) by omitting (63 Vic. No.9) from the Constitution (63 & 64 VICT. c. 12) and by representing without reference parts and fragments of the former which conveniently pervert and disturb and reduce and inappropriately expand and distort the meaning of the original and legitimate Statutes.

“Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016” does not seek to develop, compile or amend THE CRIMINAL CODE OF 1899 (63 Vic. No.9): it seeks to *abolish* it and to replace it (without even mentioning or commenting on (63 Vic. No. 9); “Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016” seeks to “*radically transform*” the Law of the Commonwealth, it does not seek to merely “tidy up” the texts of the Law, as though to unlawfully do even this would be sufficient for a dissolution of the entire Parliament responsible and for a thorough-going criminal investigation into such crimes.

THE CRIMINAL CODE [ACT] OF 1899 (63 Vic. No.9) & THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 (63 & 64 VICT. c.12) ARE THE CONSTITUTION OF THE COMMONWEALTH OF AUSTRALIA. The Constitutional responsibilities and duties of the (optional) “Governor-General” (*to maintain* the Constitution and *to execute* the Laws of the Commonwealth are *not to facilitate war against* the Crown of the Commonwealth *nor to permit of revolution against* its *Constituted* form of Governance.

Absent from this “Criminal Code Act, 1995; Authorised Version C2016C00260 registered 08/04/2016” – this “*idiologically and politically editorialised, selectively re-presentational saboteurs’ compilation*” of “commenced, un-commenced, mis-described, subject to the re-discovery of its *original intent*, subject to interested re-interpretation, not-necessarily-presented amendments and *selected phrases designed and employed for political convenience*”(sic.) – are legal concepts and entire Chapters of the Constitutional Civil and Criminal Law.

It has recently been asserted [“The aren’t any laws which govern the activities of the members of the Parliaments”(sic).] that there are *no such statutes* as those contained in the following chapters of statutory law (63 Vic. No.9):

PART II-OFFENCES AGAINST PUBLIC ORDER,

CHAPTER VII-SEDITION, CHAPTER X-OFFENCES AGAINST POLITICAL LIBERTY,

CHAPTER XIII-CORRUPTION AND ABUSE OF OFFICE,

CHAPTER XIV-CORRUPT AND IMPROPER PRACTICES AT ELECTIONS,

CHAPTER XX-MISCELLANEOUS OFFENCES AGAINST PUBLIC AUTHORITY,

CHAPTER XXXV-DEFAMATION...

Degradated traces of which still persist in “Criminal Code Act, 1995; Authorised Version C2016C00260 registered 08/04/2016”, but there is not a single reference to the word “defamation”, or “sedition” for example. *Convenient* ignorance or a lucky *accidental* omission ? In light of the directive of the Institute of Public Affairs from 2012, “Eliminate laws that require radio and television broadcasters to be ‘balanced’”, removing the Defamation Laws is probably what the directive is inciting its agents in the Parliaments to do, although the removal of THE CRIMINAL CODE OF 1899 (63 Vic.No.9) and any reference to it is probably the target of the intended execution.

*If* and *as* whole Sections and Chapters of THE CRIMINAL CODE [ACT] OF 1899 (63 Vic.No.9) are made to be non-apparent, and *if and as* the entirety of THE CRIMINAL CODE [ACT] OF 1899 (63 Vic.No.9) is concealed and/or not made available and/or is not maintained and promulgated so that it can be known, how is the “*effect of the law*” not changed or altered ?

*Because* de-contextualised, re-contextualised fragments, bits and pieces and redacted phrases of statutes do not *present* the Constitutional Laws *as Enacted*, how can the *instrument of convenience* (which is employed to falsely authorise these “radical transformations” of the law of the Legitimately Enacted Constitution of the Commonwealth) supposed to be valid or legitimate ? The *actual wording of the Law*, and the entirety of the Law as it is Enacted (and lawfully amended), and the presentation of whole of the Law is what the Law is. A demented totalitarian “interpretation” of the laws is no lawful substitute for them.

If an *editorialisation of the laws* may not change the effect of the law, how is the effect of the law not changed or altered or perverted if the Legitimate Law (63 Vic. No.9) is not presented and is not seen, is not available to be read, is not accessible to understanding because it is not even maintained or promulgated or executed by those who are supposedly sworn to do just that ?

A number of redacted phrases in modified contexts with different *effects* than are intended and expressed and declared in THE CRIMINAL CODE, 1899 do not constitute any appropriate presentation or lawful promulgation of the Laws of the Commonwealth.

THE CRIMINAL CODE, 1899 is effectively an *Act to Establish, Amend, Consolidate, Declare and Constitute* the Criminal Law *in* and *of* and *for* the Commonwealth of Australia; inversely or perversely, “Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016” seeks to supplant and replace and re-legislate the Criminal and Constitutional Laws of the Commonwealth. “Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016” seeks to *effect an entirely different law* than that Lawfully Enacted, Declared and Established in the Principle Acts of the Commonwealth (63 Vic.No.9) AND (63 & 64 VICT. c.12) – *and* it seeks to accomplish this without even mentioning the Real Constitution of the Commonwealth.

The *entirely different law* that “Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016” *seeks to effect is a convenient and interested inversion of the Principles of* THE CRIMINAL CODE [ACT] OF 1899 & THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 - it seeks to return the Law of the Commonwealth to *common- or judge- determined law* under the instruction of the *First Parliamentary Council* or whosoever happens to be instructing them.

Because “Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016” is *fundamentally* unlawful and is against the Constitution of the Commonwealth, it would not do to have the same Parliament that supposedly “legislated” it, now set about to amend it: “Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016” *must be abolished* - as must all of the supposed “legislation” or “legislative destruction” of this fake “government” since at least 2012 *be abolished*. This Trojan Law is only one “compilation” (number 104 of at least 111 of such “compilations”) which (we must assume) now bear the same “un-commenced, mis-described amendment, editorialisation, uncommenced commencement” prefacing that “Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016” does.

Comparing the Statute “THE CRIMINAL CODE, 1899 (63 Vic. No.9); PART II—OFFENCES AGAINST PUBLIC ORDER; CHAPTER VI—TREASON AND OTHER OFFENCES AGAINST THE SOVEREIGN’S PERSON AND AUTHORITY, 37. *Treason*” against the editorialised offence found in “Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016; Subdivision B—Treason; 80.1 Treason” it cannot be said or maintained that the latter is in any sense a true presentation of the former, or that it even has the same application -

(63 Vic. No.9)  
**THE CRIMINAL CODE, 1899**

[Act to Declare, Amend and Consolidate the Criminal Law of the Commonwealth of Australasia]

**PART II – OFFENCES AGAINST PUBLIC ORDER**  
**CHAPTER VI – TREASON AND OTHER OFFENCES AGAINST THE SOVEREIGN'S PERSON AND AUTHORITY**

**37. Treason**

**Any person who–**

(1) Kills the Sovereign, or does Her any bodily harm tending to Her death, or maim or wounding, or imprisonment or restraint; or

(2) Kills the eldest son and heir-apparent for the time being of the Sovereign, or the Queen Consort of the reigning King; or

(4) Conspires with any other person to kill the Sovereign or to do Her any bodily harm tending to Her death, or maim or wounding, or imprisonment or restraint; or

(5) Levies war against the Sovereign –

(a) With intent to depose the Sovereign from the style, honour, and royal name, of the Imperial Crown of the United Kingdom of Great Britain and Ireland, or of any other of Her Majesty's dominions; or

(b) In order by force or constraint to compel the Sovereign to change Her measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe, any House of Parliament of any of Her Majesty's dominions; or

(6) Conspires with any other person to levy war against the Sovereign with any such intent or purpose at last aforesaid; or

(7) Instigates any foreigner to make an armed invasion of any part of Her Majesty's dominions; or

(8) Assists by any means whatever any public enemy at war with the Sovereign; or

(9) Violates, whether with her consent or not, a Queen Consort, or the wife of the eldest son and heir-apparent for the time being of the Sovereign;

(3) Forms an intention to do any such act as aforesaid, and manifests such intention by any overt act; or

**is guilty of a crime, which is called treason, and is liable to imprisonment with hard labour for life, which cannot be mitigated or varied under section nineteen of this Code.**

**38. Concealment of Treason**

**Any person who –**

(1) *Becomes an accessory after the fact to treason; or*

(2) *Knowing that any person intends to commit treason, does not give information thereof with all reasonable despatch to a justice or use other reasonable endeavours to prevent the commission of the crime;*

***is guilty of a crime, and is liable to imprisonment with hard labour for life.***



Criminal Code Act, 1995  
Authorised Version C2016C00260 registered 08/04/2016  
Subdivision B — Treason  
80.1 Treason  
(1) A person commits an offence if the person:  
(a) causes the death of the Sovereign, the heir apparent of the Sovereign, the consort of the Sovereign, the Governor-General or the Prime Minister; or  
(b) causes harm to the Sovereign, the Governor-General or the Prime Minister resulting in the death of the Sovereign, the Governor-General or the Prime Minister; or  
(c) causes harm to the Sovereign, the Governor-General or the Prime Minister, or imprisons or restrains the Sovereign, the Governor-General or the Prime Minister; or (d) levies war, or does any act preparatory to levying war, against the Commonwealth; or  
(g) instigates a person who is not an Australian citizen to make an armed invasion of the Commonwealth or a Territory of the Commonwealth.  
Penalty: Imprisonment for life.

The differences between the **THE CRIMINAL CODE, 1899** Statute and whatever its counterpart is in the *False Document* consist in:

1) **(1) & (2) of 37. Treason** have been generally mauled although retained, but the rest has been disposed of or displaced (re-located? typographically omitted?);

2) the glaring reductions and limitations of the “crime of treason” to acts of violence or murder or what looks like acts of “conventional war”;

3) the extension of the definition to cover acts of violence and murder to the *prime minister* (a Constitutional non-entity) and the *Governor-General* (a Constitutional optionality of the Legitimate Crown);

4) **(3), (4) & (6) of 37. Treason** have been omitted so that the *forming of the intention to* and the *conspiracy to* commit the crime of treason have been eliminated from the definition given by 37 (unless these have been misplaced, &c.);

5) **(5) (a) & (b) of 37. Treason** have been significantly removed;

6) **80.1 Treason, (1)(g)** appears to sanction the instigation of an Australian citizen to wage war by armed invasion ...

*If this does not change the effect of the law, then what does?* And what is the *intended effect* of the editorialisation of the Laws of the Commonwealth? If the editorialisation is confused and intentionally confusing and obscure and obscurantist and deceptive and deceitful...? It may be that certain phrases have been “relocated” (*from an Act to somewhere else*), but as there is no legitimate or lawful excuse for presenting skewed interpretations of, or paraphrasing, or editorialising, or *butchering* the Laws of the Commonwealth; just because any given phrase or derivative idea may or may not have been edited back into the “compiled text of the law” does not mean that the Laws of the Commonwealth can be seen or viewed or studied with a view to determining the truth about the Law, or with a view to prosecuting criminals.



Disregarding the defective and revolutionary laws and selectively literate “Acts” of the Parliaments enacted after the year 1900, the Constitutional Laws are made with a specific language with a specific intention – and to alter the terminology of the Laws, to *re-present, re-interpret* and *redact* the Laws as *is to alter the effect of the law*.

If sub-literate coin-clippers or mercenary lawyers or knacker’s yard dogs were to cobble together their agendas into so-called “laws”, in place of the statutes drafted by the most learned and Loyal Subjects of the Crown, *how would this not change the effect of the Law ?*

There is no authorisation available to effectuate such butchery ... because it is nothing short of *criminal revolution, treason and sabotage*.

(63 & 64 VICT. c.12)  
COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT

3. *Proclamation of Commonwealth.*

*It shall be lawful for the Queen, with the advice of the Privy Council, to declare by proclamation that, on and after a day therein appointed, not being later than one year after the passing of this Act, the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, and also, if Her Majesty is satisfied that the people of Western Australia have agreed thereto, of Western Australia, shall be united in a Federal Commonwealth under the name of the Commonwealth of Australia. But the Queen may, at any time after the proclamation, appoint a Governor-General for the Commonwealth.*

CHAPTER I.  
THE PARLIAMENT.  
PART I. – GENERAL.

*Governor-General.*

*A Governor-General appointed by the Queen shall be Her Majesty’s representative in the Commonwealth, and shall have and may exercise in the Commonwealth during the Queen’s pleasure, but subject to this Constitution, such powers and functions of the Queen as her Majesty may be pleased to assign to him.*

With the implication that the Reigning Monarch may (*is at liberty to*) remove any given “Governor-General” (or “Governor”) and replace it with any other or discontinue the Office of “Governor-General” altogether, and/or replace that with any other of their choosing, and *at Their Pleasure*.

Criminal Code Act, 1995

5 Regulations

The Governor-General may make regulations prescribing matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

By what Constitutional Duty does the Governor-General take allowances or orders or directives that he “may make regulations prescribing matters” from an Officer or Office of the Crown Law ?

*“It shall be [and is] lawful for the Queen [and their Legitimate Heirs and Successors] .... at any time after the proclamation [of Federation – 01 January 1901], to appoint a Governor-General (who shall be Her Majesty’s representative in the Commonwealth, and [who] shall have and may exercise in the Commonwealth during the Queen’s pleasure, but subject to this Constitution, such powers and functions of the Queen as her Majesty may be pleased to assign to him) for the Commonwealth”*

Perhaps this matter of the Conferral of Royal Powers and Authority to some Office of the Department of Justice of the Commonwealth has had some formal devolution to the Parliament of the Commonwealth ? There has been no Alteration to the text of the Constitution – perhaps, as that would require actual Adherence to the Law (and as there is no lawful way to alter the Constitutional form of Governance, because to do so is *treason*) ... A Lawful Constitutional Alteration, perhaps? Unlawful and fraudulent though it is, Australia Act 1986 certainly does not abolish the Royal Authority of Assent or Decline over the Acts of the Parliament of the Commonwealth. Nor does Australia Act 1986 enable a “prime minister” (which has no Constitutional basis, as do not the “premiers” of the States of the Commonwealth as against the assertion of Australia Act 1986 to the contrary) of the Commonwealth to demand that the Monarch *must select* the Governor-General that is “*recommended by*” the constitutionally unrecognised “prime minister” or the instructors thereof (See REVOLUTION 1986)

By what Constitutional Duty does the Governor-General take on the role of the “*convenient regulation*” of Anti-Constitutional, *Trojan Law* ? Is this *authority* and the execution thereof merely assumed, directed and informed by “elected”(sic.) party-political members and/or senators, as with the Governor General’s merely conventionally informed and directed *proxy-assent* ?

(63 & 64 VICT. c. 12)  
COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT

CHAPTER I  
THE PARLIAMENT  
PART I-GENERAL

*Legislative Power*

The legislative power of the Commonwealth shall be vested in a Federal Parliament, which shall consist of the Queen, a Senate, and a House of Representatives, and which is herein-after called "The Parliament," or "The Parliament of the Commonwealth."

*Governor-General*

A Governor-General appointed by the Queen shall be Her Majesty's representative in the Commonwealth, and shall have and may exercise in the Commonwealth during the Queen's pleasure, but **subject to this Constitution** such powers and functions of the Queen as her Majesty may be pleased to assign to him.

*Provisions relating to Governor-General*

**The provisions of this Constitution** relating to the Governor-General extend and apply to the Governor-General for the time being, or such person as the Queen may appoint to administer the Government of the Commonwealth; but no such person shall be entitled to receive any salary from the Commonwealth in respect of any other office during his administration of the Government of the Commonwealth.

PART V-POWERS OF THE PARLIAMENT

*60. Signification of Queen's pleasure on Bills reserved*

A proposed law reserved for the Queen's pleasure shall not have any force unless and until within two years from the day on which it was presented to the Governor-General for the Queen's assent the Governor-General makes known, by speech or message to each of the Houses of the Parliament, or by Proclamation, that it has received the Queen's assent.

CHAPTER II  
THE EXECUTIVE GOVERNMENT

*61. Executive power*

The executive power of the Commonwealth is vested in the Queen and is exercisable by the Governor-General as the Queen's representative, and extends to the execution and maintenance of **this Constitution**, and of the laws of the Commonwealth [63 Vic. No. 9].

Thus, we have:

1) the Monarch (possessor of the dominions of the Crown) as integral to the Parliaments of the Commonwealth;

2) the Constitutional (but not necessary) Governor-General who is -

2)(a) the Representative of the Monarch, and

2)(b) the Executive of the Monarch, and

2)(c) the Executive of the Crown (Sovereign Rule of Law and Constitutional form of Government) of the Commonwealth and whose Constitutional duties include -

2)(c)(i) the "administration of the Government of the Commonwealth" and

2)(c)(ii) and which extend to the "execution and maintenance of this Constitution, and of the laws of the Commonwealth [63 Vic.No.9]."

A Governor-General of the Commonwealth (and/or Governors of the States) is an Administrative and Executive *Appointee of the Monarch*.

The Royally Conferred Authorities and Duties and Responsibilities of the Governor-General of the Commonwealth (and/or Governors of the States) derive from and are dependent upon the Constitutionally Conditioned Will and Desire and Pleasure of the *Monarch*.

The Constitutional Duties and Responsibilities of a Governor-General (and/or Governors of the States) derive from and are determined by the *Constitutional Provisions* of THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT OF 1900 relating to that Office of Governor-General of the Commonwealth (and/or Governors of the States).

Because Australia Act 1986 is an *invalid Act* (for the reasons which we have else where provided, and despite the Office, the Constitutional Duties and Responsibilities of Governor-General being unaffected by Australia Act 1986), the Constitutional Provisions pertaining to the Offices (Constitutional Duties and Responsibilities - the *Administration of Government* and the *Execution and Maintenance of the Constitution*; and the *Execution and Maintenance of the Sovereign or Crown Laws of the Commonwealth*) of a Governor-General of the Commonwealth and/or Governors of its States are AS *Constitutionally Stipulated and not otherwise*. The Offices and Duties and Responsibilities and activities &c., of a Governor-General of the Commonwealth and/or Governors of its States are also *SUBJECT-TO* (63 Vic.No.9) AND (63 & 64 VICT. c.12).

Criminal Code Act, 1995

5 Regulations

The Governor-General may make regulations prescribing matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

And, so, by what or whose authority is the allowance or permission or authorisation to “make regulations prescribing matters ... *required or permitted by this Act* to be prescribed ... *or necessary or convenient to be prescribed for carrying out or giving effect to this Act*” *conferred to the Governor-General ? And by whom is it conferred ?*

The Governor-General is *authorised by* the Constitution to act *at his discretion*, but only *in accordance with*, and *under*, and *subject to* the Constitution. As the Monarch’s Representative and Executive in the Commonwealth, whose Constitutional Duties and Responsibilities extend to the Maintenance and Execution of the Laws (63 Vic.No.9) and Constitution (63 & 64 VICT.c.12) of the Commonwealth, it is not Lawful or Constitutional for the Governor-General to over-see or allow or permit or *Assent-to* the amendment or “abolition” of Statutes or Acts or the Enactment of Laws which are not in full conformity to the Laws (63 Vic. No.9) of the Commonwealth, and/or to over-see or allow or permit or *Assent to* the amendment or unauthorised executive alteration or the surreptitious *replacement by substitution* of any part or the whole of the Laws or the Constitution of the Commonwealth.

These “*regulations*” indicate a total inversion and arbitrarialisation of the Law of the Commonwealth – “The Governor-General may make regulations prescribing matters: (a) *required or permitted by this Act* to be prescribed; or *necessary or convenient to be prescribed for carrying out or giving effect to this Act*”

“*This Act*” (the so called “Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016”) pretends to be the law and basis of law in the Commonwealth. This “Act” effectively hijacks another “Act” of the same title which is unlawfully titled “Criminal Code Act” & the “Criminal Code”, which titles are only Authorised for the Citation of THE CRIMINAL CODE [ACT] OF 1899 & (63 Vic. No.9). The “Act” which has been hijacked (“Criminal Code Act, 1995, No. 12, 1995”), bears the sub-title of, “An Act relating to the criminal law”, which sub-title does not indicate that it is intended as THE CRIMINAL CODE OF THE COMMONWEALTH, is an Act which may or may not have received the Lawful Royal Assent.

"Criminal Code Act 1995, Authorised Version C2016C00260 registered 08/04/2016" by inserting what appears to be more than 1200 undetailed, commenced or un-commenced amendments (which may or may not be included in the text of "Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016") into the "Criminal Code Act 1995, No. 12, 1995". These more than 1200 "amendments" which may be "commenced or uncommenced amendments", and which may or may not be included in the "editorialised" text, and which may or may not be known by visiting the "web-site", or by contacting the "responsible office", and which may or may not be accurate as they may or may not be "mis-described amendments" (at a later date), and which may or may not (at some future time) be re-interpreted to have the *intended* original meaning, intention and purport of the amendment read back into it (even though the re-interpretation of the original intended meaning and purport or effect or application of the amendment would not necessarily appear *to be the same as* the form of the amendment which may or may not be intended, and which may or may not appear in the authorised publication of text of the "Act".

THE CRIMINAL CODE [ACT] OF 1899 (63 Vic. No.9) have recently (between 2016 and 2017) been removed from the Commonwealth government legislation on-line archives. As (63 Vic. No.9) is the foundation of the Sovereignty of the Commonwealth, a Fundamental aspect of the Constitution of the Commonwealth, there would have to have been Strict Constitutional Process followed involving the Commonwealth Parliament and all of the States and Territories Parliaments reaching an absolute majority of consensus and the matter would then have had to have been put to the Public in a referendum to determine these destructive and on the face of it "criminal" and in terms of the Criminal Code treacherous changes to the Constitution of the Commonwealth.

Each time that THE CRIMINAL CODE OF 1899 was amended (between 1900 and 1984) a separate Act was enacted to lawfully effect those amendments which altered the Sovereign Laws of the Commonwealth. This "Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016" does no such thing: more than 1200 "amendments" are packed into the original Act and are given false and unlawful commencement or "effectivity" (from the date of "compilation" and "registration") without enactment and with this preposterous future (uncommenced) commencement of the entire "Act" as fraudulently "amended".



Laws are to be properly and clearly drafted; they are to be passed by legitimately qualified and elected members and senators of the Parliaments, they are to be examined by competent and legitimate Governors-, Attorneys-, and Solicitors-General and must be in conformity to the Constitution of the Commonwealth, they must then be appropriately studied by the Governor-General before being submitted to the Monarch for Royal Assent (Australia Act 1986 does not repeal the necessary observance of Constitutional Procedures and hence does not relieve the Parliament of the Commonwealth or the Governor-General of their binding responsibilities). The Act must then be Royally Assented to or Dissented from. On Receiving Royal Assent, the amendment(s) must be Declared and Commenced, the Persons of the Commonwealth must know what the laws are: if one is expected to decipher gibberish into sensible Statutes whenever an Act of the Parliament affects their rights, then the situation has become absurd. The published "document" of Criminal Code Act 1995 ("Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016") is not now complete, is not in one place, is not clear or coherent and is not drafted or *intended* to make sense.

Criminal Code Act 1995

Authorised Version C2016C00260 registered 08/04/2016

An Act relating to the criminal law

**Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

*If and as the effect of these "un-commenced amendments [which] is not shown in the text of the compiled law" (of "Criminal Code Act 1995; Authorised Version C2016C00260 registered 08/04/2016") radically alters the effect of the law as it may be known and understood, the entire "Un-enacted Trojan Act" is unlawful and invalid. And how can the fact that this "un-enacted, un-commenced, un-declared law" which have arbitrary and indeterminate and detrimental effects on the law, not "change the effect of the law"?*

*Because "Criminal Code Act 1995; Authorised Version C2016C00260 registered 08/04/2016" appears to compile more than 1200 of these "commenced, un-commenced, mis-described amendments" into an earlier Act (which may or may not have been lawfully enacted), the entire Legislation of the Commonwealth must be examined and analysed and corrected back to the Principle Acts of the Commonwealth. All expunged Acts must be identified and a complete recompilation of the Founding and Principle Acts must be made: all subsequent "laws" Piling error upon error or convenience upon convenience apparently makes for "government" in the Commonwealth, but this does not make unlawful and anti-Constitutional legislation lawful, or it does not make it less criminal...*



"Criminal Code Act 1995, Authorised Version C2016C00260 registered 08/04/2016" by inserting what appears to be more than 1200 undetailed, commenced or un-commenced amendments (which may or may not be included in the text of "Criminal Code Act, 1995 Authorised Version C2016C00260 registered 08/04/2016") into the "Criminal Code Act 1995, No. 12, 1995". These more than 1200 "amendments" which may be "commenced or uncommenced amendments", and which may or may not be included in the "editorialised" text, and which may or may not be known by visiting the "web-site", or by contacting the "responsible office", and which may or may not be accurate as they may or may not be "mis-described amendments" (at a later date), and which may or may not (at some future time) be re-interpreted to have the *intended* original meaning, intention and purport of the amendment read back into it (even though the re-interpretation of the original intended meaning and purport or effect or application of the amendment would not necessarily appear *to be the same as* the form of the amendment which may or may not be intended, and which may or may not appear in the published text of the "Act".

THE CRIMINAL CODE [ACT] OF 1899 (63 Vic. No.9) have recently (between 2016 and 2017) been removed from the Commonwealth government legislation on-line archives. As (63 Vic. No.9) is the foundation of the Sovereignty of the Commonwealth, a Fundamental aspect of the Constitution of the Commonwealth, there would have to have been Strict Constitutional Process followed involving the Commonwealth Parliament and all of the States and Territories Parliaments reaching an absolute majority of consensus and the matter would then have had to have been put to the Public in a referendum to determine this drastic change to the Constitution of the Commonwealth.

Incidentally, the ostensibly current (12 February 2018) version of THE CRIMINAL CODE [ACT] OF 1899 (63 Vic. No.9), which appears to be a State of Queensland hatchet-job (see CRIMINAL CODE 1899, Act 9 of 1899 in "cc189994.txt" as archived by AUSTLII), indicates that the treason and defamation statutes *have been repealed*. Whether or not AUSTLII has been infiltrated by revolutionary operatives is unclear, but the questions of *who would repeal* the treason and defamation statutes? and *why?* and *in whose interests?* *are in urgent need of resolution. The illegitimate legislative assembly of the colony of Queensland has no authority to even sit in the legislature*, (see "1867 v. 1900") let alone to affect the destruction of the Laws of the Commonwealth, and the illegitimated central colonial authority has no authority to do anything !

The omission of the Act and its Chapters and Statutes from the history and awareness of the Commonwealth is an act of *sabotage and is part of a criminal revolution which seeks the "radical transformation" (read destruction) of the Commonwealth for criminal ends and gains.*

THE CRIMINAL CODE [ACT] OF 1899 (63 Vic. No.9) has been surreptitiously replaced by an Act which has been distorted and falsified: ***Criminal Code Act 1995***, "*An Act relating to the criminal law*" and a simplified English version of the Schudule of *some* Code has been inserted as a replacement for the Sovereign Law of the Commonwealth and States.

The term "uncommenced amendments" is recently inserted as some kind of

The *frontice* now pasted onto on prior Acts of the Parliament of the Commonwealth.

Each time that THE CRIMINAL CODE ACT, 1899 was amended (between 1900 and 1984) a separate Act was enacted to lawfully effect those amendments which altered the Sovereign Laws of the Commonwealth. This "Criminal Code Act 1995" does no such thing: more than 1200 "amendments" are packed into the original, unlawful Act and are given false, fraudulent, illegitimate and unlawful "commencement" (from the date of "compilation" and "registration") *without enactment* and with this preposterous future (uncommenced) commencement of the entire "Act".

Laws are to be properly and clearly drafted; they are to be passed by legitimately qualified and elected members and senators of the Parliaments, they are to be examined by competent Governors- and Solicitors-General and must be in conformity to the Constitution of the Commonwealth (Vict. 63 & Vict. 64), they must then be appropriately studied by the Governor-General before being submitted to the Monarch for Royal Assent (Australia Act 1986 does not repeal the necessary observance of Constitutional Procedures and hence does not relieve the Parliament of the Commonwealth or the Governor-General of their binding responsibilities). The Act must then be Royally Assented to or Dissented from. On Receiving Royal Assent, the amendment(s) must be Declared and Commenced, the Persons of the Commonwealth must know what the laws are: if one is expected to decipher gibberish into sensible Statutes whenever an Act of the Parliament affects their rights, then the situation has become absurd. The published "document" of Criminal Code Act 1995 is not now complete, is not in one place, is not clear or coherent and is not designed or intended to make sense.

Criminal Code Act 1995

Authorised Version C2016C00260 registered 08/04/2016

An Act relating to the criminal law

#### **Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

*If and as* the effect of these "*un-commenced amendments* [which] is not shown in the text of the compiled law" (of "Criminal Code Act 1995; Authorised Version C2016C00260 registered 08/04/2016") *radically alter* the effect of the law as it may be known and understood, the entire "Un-enacted Act" is unlawful and invalid. And how can the fact that this "un-enacted, un-commenced, un-declared law" which have arbitrary and indeterminate and detrimental effects on the law, *not "change the effect of the law" ?*

THE CRIMINAL CODE [ACT] OF 1899 (63 Vic. No.9) has been surreptitiously replaced by an Act which has been distorted and falsified: *Criminal Code Act 1995*, “An Act relating to the criminal law” and a simplified or “stupidised” English version of the Schedule of some Code has been inserted as a replacement for the Sovereign Law of the Commonwealth and its States.

Each time that THE CRIMINAL CODE ACT, 1899 was amended (between 1900 and 1984) a separate Act was enacted to lawfully effect those amendments which altered the Sovereign Laws of the Commonwealth. This “Criminal Code Act 1995, Authorised Version C2016C00260 registered 08/04/2016” does no such thing: more than 1200 “amendments” are packed into the original Act (“Criminal Code Act 1995, No. 12, 1995”) and are given false, fraudulent, illegitimate and unlawful “commencement” (from the date of “compilation” and “registration”) *without enactment* and with this preposterous future (uncommenced) commencement of the entire sabotaged “Act”. And this is only one “Act” which has been sabotaged out of a potential minimum of One Hundred and Eleven such “Acts”.

Criminal Code Act 1995

Authorised Version C2016C00260 registered 08/04/2016

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

And so this “criminal act of sabotage” (“Criminal Code Act 1995 Authorised Version C2016C00260 registered 08/04/2016”), appears to use as an *instrument of amendment* (read as “*instrument of ransack and substitution and falsification*”) some provision of *Legislation Act 2003* which purported and conveniently allows for “editorial and presentational changes .... which must not change the effect of the law” as authorisation to “amend into another unlawful Act” 1200 or so amendments and omissions and falsehoods in order to satisfy the demands of whatever revolutionary ideology and traitor orders it ?

The “brief outline of the changes in general terms” supposedly included in the “endnotes” reveals nothing but dotted lines and more obscurantist drivel. The same goes for the “dictionary” and the “Abbreviation key”: SABOTEURS’ tools.

(31 Vic. No. 6.)  
ACTS SHORTENING ACT of 1867

*10. Construction of Words*

Meaning of the words “**Her Majesty**.” – Whenever the word “Her” or “His” Majesty shall be used in any Act the same shall be taken to include the successors to the Crown of England and

Queensland. – “**Queensland**” shall mean Queensland and the dependencies thereof ...

References to holders of offices : The Governor may authorise any Minister of the Crown to perform the duties of any other Minister. See The Officials in Parliament Act of 1896, s. 8, and The Department of Justice Act of 1876, title CONSTITUTION.

Rule-making power: For the Imperial Common Law Procedure Acts, 1852, s. 223, 1854, s. 98, and 1860, s. 37, being the sections referred to in the marginal note, see Halsbury’s Statutes of England, Vol. 13, pp. 160, 192, 203.

ACTS INTERPRETATION ACT 1954  
(State of Queensland)

*14C Changes of drafting practice not to affect meaning*

If –

(a) a provision of an Act expresses an idea in particular words; and

(b) a provision enacted later appears to express the same idea in different words for the purpose of implementing a different legislative drafting practice, including, for example –

(i) the use of a clearer or simpler style; or

(ii) the use of gender-neutral language; the ideas must not be taken to be different merely because different words are used.

*If* and *as* any given legitimate Law is made understandable by the words that are used to describe and define and specify it, changing those words and terms will, to the extent of the changes made to it, affect its being understood as it is intended to be understood. We can call this purport of the given law its *meaning*. If one has to obtain a judicial ruling to determine the meaning of a given law or provision thereof, then that “law” is obviously not easy of understanding, is not easy to understand, is not in a language that can plausibly be understood by the average man of limited intellectual capacity. This is not to say that simpletons should re-write the legitimate laws in a language which meets their own mental or literary incapacitance. Nor is it to say that the terms of the law should be re-written in such vague terms that the law or amendment to that law becomes arbitrary or despotic (*id est*, “serving to criminalise according to the party-political Attorney-General mood of the day”). And nor is it to say that the legitimate Laws of the Commonwealth should be *re-written for convenience* of small interest groups at all.

So, *as* and *if* the “*editorialisation of the law for foreign interests and powers*” alters the words and terms of the law, the meaning of the law and the way it is understood will be affected: the extent to which the law is able to be understood is an effect of the proficiency of the drafting of the law, and the extent to which the law is promulgated to appropriately educated Persons throughout the Commonwealth.

Needless but necessary to say, deliberately vague and obscurantist “law” which is not lawfully enacted and which is intimidatory and which is not available or in sight (bearing in mind that THE CRIMINAL CODE OF 1899 has apparently been removed from the Federal on-line Legislation Registry 2016-2017, and has not been mentioned since 1984) and which is only to be understood *on application* by *appropriately qualified persons* is not even *law* at all. All of this “changes the effects of the law”.

We now endeavour to discern the extent to which the meaning of the law and the editorialisation of the law affects the “*effect of the law*” (admittedly, this is a moronic term, but it is what we are given). Synopticising the false into the True will contrast the relatively con-current terms, phrases and notions in the True Principle Law and the editorialised or ersatz distortion of the law will demonstrate the differences between the True Principle and the false substitute-derivative –

(63 Vic. No.9)  
**THE CRIMINAL CODE, 1899**

**PART II-OFFENCES AGAINST PUBLIC ORDER**

**CHAPTER VI-TREASON AND OTHER OFFENCES AGAINST  
THE SOVEREIGN'S PERSON AND AUTHORITY**

**37. Treason**

*Any person who –*

*(1) Kills the Sovereign, or does Her any bodily harm tending to Her death, or maim or wounding, or imprisonment or restraint; or*

*(2) Kills the eldest son and heir-apparent for the time being of the Sovereign, or the Queen Consort of the reigning King; or*

*(3) Forms an intention to do any such act as aforesaid, and manifests such intention by any overt act; or*

*(4) Conspires with any other person to kill the Sovereign or to do Her any bodily harm tending to Her death, or maim or wounding, or imprisonment or restraint; or*

*(5) Levies war against the Sovereign –*

*(a) With intent to depose the Sovereign from the style, honour, and royal name, of the Imperial Crown of the United Kingdom of Great Britain and Ireland, or of any other of Her Majesty's dominions; or*

*(b) In order by force or constraint to compel the Sovereign to change Her measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe, any House of Parliament of any of Her Majesty's dominions; or*

*(6) Conspires with any other person to levy war against the Sovereign with any such intent or purpose at last aforesaid; or*

*(7) Instigates any foreigner to make an armed invasion of any part of Her Majesty's dominions; or*

*(8) Assists by any means whatever any public enemy at war with the Sovereign; or*

*(9) Violates, whether with her consent or not, a Queen Consort, or the wife of the eldest son and heir-apparent for the time being of the Sovereign;*

*is guilty of a crime, which is called treason, and is liable to imprisonment with hard labour for life, which cannot be mitigated or varied under section nineteen of this Code.*

**38. Concealment of Treason**

*Any person who –*

*(1) Becomes an accessory after the fact to treason; or*

*(2) Knowing that any person intends to commit treason, does not give information thereof with all reasonable despatch to a justice or use other reasonable endeavours to prevent the commission of the crime;*

*is guilty of a crime, and is liable to imprisonment with hard labour for life.*

note to 1984 publication of **THE CRIMINAL CODE, 1899**, *passim* : “Justices in petty sessions now Magistrates Court; see Justices Acts Amendment Act of 1964, s. 2 (4).”

(63 Vic. No.9)  
THE CRIMINAL CODE, 1899

PART II-OFFENCES AGAINST PUBLIC ORDER

CHAPTER VI-TREASON AND OTHER OFFENCES AGAINST  
THE SOVEREIGN'S PERSON AND AUTHORITY

*43. Overt Act*

In the case of any of the offences defined in this Chapter, when the manifestation by an overt act of an intention to effect any purpose is an element of the offence, every act of conspiring with any person to effect that purpose, and every act done in furtherance of the purpose by any of the persons conspiring, is deemed to be an overt act manifesting the intention.

As to charge and evidence of an overt act, see ss. 566 (1), 633, *post*.

PART VIII-PROCEDURE

CHAPTER LX-INDICTMENTS

*564. Form of indictment*

An indictment is to be intitled with the name of the Court in which it is presented, and must, subject to the provisions hereinafter contained, set forth the offence with which the accused person is charged in such a manner, and with such particulars as to the alleged time and place of committing the offence, and as to the person, if any, alleged to be aggrieved, and as to the property, if any, in question, as may be necessary to inform the accused person of the nature of the charge.

If any circumstances of aggravation is intended to be relied upon, it must be charged in the indictment.

It is sufficient to describe an offence in the words of this Code or of the Statute defining it.

The place of trial is to be named in the margin of the indictment.

*566. Particular indictments*

(1) An indictment for treason must state overt acts of the treason alleged.

*633. Evidence on charge of treason*

On the trial of a person charged with treason evidence cannot be admitted of any overt act not alleged in the indictment.

See ss. 37, 566 (1), *ante*.

PART I-INTRODUCTORY  
INTERPRETATION : APPLICATION : GENERAL PRINCIPLES

*1. Construction of Terms* [continued]

In this Code, unless the context otherwise indicates –

The term “**police officer**” includes any constable or officer of police ...



(1) A person commits an offence if the person:

- (a) causes the death of the Sovereign, the heir apparent of the Sovereign, the consort of the Sovereign, the Governor-General or the Prime Minister; or
- (b) causes harm to the Sovereign, the Governor-General or the Prime Minister resulting in the death of the Sovereign, the Governor-General or the Prime Minister; or
- (c) causes harm to the Sovereign, the Governor-General or the Prime Minister, or imprisons or restrains the Sovereign, the Governor-General or the Prime Minister; or
- (d) levies war, or does any act preparatory to levying war, against the Commonwealth; or
- (g) instigates a person who is not an Australian citizen to make an armed invasion of the Commonwealth or a Territory of the Commonwealth.

Penalty: Imprisonment for life.

(2) A person commits an offence if the person:

- (a) receives or assists another person who, to his or her knowledge, has committed an offence against this Subdivision (other than this subsection) with the intention of allowing him or her to escape punishment or apprehension; or
- (b) knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

Penalty: Imprisonment for life.

(8) In this section:

*constable* means a member or special member of the Australian Federal Police or a member of the police force or police service of a State or Territory.

The co-under-lined parts are the extent of the similarities between the Legitimately Enacted Statute and the *inferior-English-as-an-alternative-to-language version* of the “mis-described amendment”[?] version of the offence. The first question regarding the True and the false is, why would the former be required to be modified at all ? The Crimes Act 1914-1936 and Crimes Act 1958 already (redundantly but more or less adequately although unnecessarily) re-iterate 37. *Treason*, what is the point of doing it again to no apparent purpose ? The Commonwealth already has an Authentic **CRIMINAL CODE** *and it is not this Criminal Act 1995 “compilation” nonsense.*

Superficial similarities aside, how do the omissions of the following *not alter the effect of the understanding and application of the law* and/or *not affect the effect of the law*? –

*Any person who – ...*

(4) *Conspires with any other person to kill the Sovereign or to do Her any bodily harm tending to Her death, or maim or wounding, or imprisonment or restraint; or*

(5) *Levies war against the Sovereign –*

(a) *With intent to depose the Sovereign from the style, honour, and royal name, of the Imperial Crown of the United Kingdom of Great Britain and Ireland, or of any other of Her Majesty's dominions; or*

(b) *In order by force or constraint to compel the Sovereign to change Her measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe, any House of Parliament of any of Her Majesty's dominions; or*

(6) *Conspires with any other person to levy war against the Sovereign with any such intent or purpose at last aforesaid; or*

(7) *Instigates any foreigner to make an armed invasion of any part of Her Majesty's dominions; or*

(8) *Assists by any means whatever any public enemy at war with the Sovereign; or*

(9) *Violates, whether with her consent or not, a Queen Consort, or the wife of the eldest son and heir-apparent for the time being of the Sovereign;*

(3) *Forms an intention to do any such act as aforesaid, and manifests such intention by any overt act...*

*is guilty of a crime, which is called treason, and is liable to imprisonment with hard labour for life, which cannot be mitigated or varied under section nineteen of this Code.*

The next example that we will present amounts to a similar conclusion derived from a related and different and more extensive kind of example. The terms **SEDITION** and **DEFAMATION** do not appear to be present in the 807 page “Criminal Act 1995 (Authorised Version C2016C00260 registered 08/04/2016)” (which is supposedly the Law of the Commonwealth). Why is this important ? As a “compilation of the law” (sic.), – although these terms may have been “*relocated*”, or the omission may be a “*mistaken amendment*” (sic.), or an “*unintentionally misplaced dis-inclusive amendment*” (sic.), or an “*accidental typographical amendment error*” (sic.), or a “*minor un-authorised clerical or intern-al dictate misinterpretation*” (sic.), or a “*large dis-inclusional insertion*” – this would seem to indicate that the following Chapters and/or Statutes (without looking for the rest of them) of the Crown Law of the Commonwealth have been *disappeared*:

(63 Vic. No. 9.)  
THE CRIMINAL CODE, 1899

PART II-OFFENCES AGAINST PUBLIC ORDER

CHAPTER VI-TREASON AND OTHER OFFENCES AGAINST THE  
SOVEREIGN'S PERSON AND AUTHORITY

CHAPTER VII-SEDITION

- 44. Definition of seditious intention.
- 45. Innocent intentions.
- 46. Definition of seditious enterprises, & C.
- 47. Unlawful oaths to commit [certain crimes].
- 48. Other unlawful oaths to commit offences.
- 49. Compulsion, how far a defence.
- 50. Effect of prosecution.
- 51. Unlawful drilling.
- 52. Sedition.
- 53. Defamation of foreign princes.

PART V-OFFENCES AGAINST THE PERSON AND RELATING TO MARRIAGE  
RIGHTS AND DUTIES AND REPUTATION OF INDIVIDUALS

CHAPTER XXXV-DEFAMATION

- 365. Definition of “periodical”.
- 366. Definition of defamatory matter.
- 367. Questions of fact and law.
- 368. Definition of defamation.
- 369. Publication.
- 370. Publication of defamatory matter *primâ facie* unlawful.
- 371. Absolute protection: Privilege of Parliament.
- 372. Absolute protection: Privileges of Judges, witnesses, and others in courts of justice.
- 373. Absolute protection: Reports of official inquiries.
- 374. Protection: Reports of matters of public interest.
- 375. Protection: Fair comment.
- 376. Protection: Truth.
- 377. Qualified protection: Excuse.
- 378. Good faith.
- 379. Relevancy and public benefit questions of fact.
- 380. Unlawful publication of defamatory matter.
- 381. Defamation of members of Parliament by strangers.
- 382. Defence in case of defamation by words, sounds, signs, signals, or gestures.
- 383. Publishing or threatening to publish defamatory matter with intent to extort money.
- 384. Liability of proprietor, publisher, and editor of periodicals.
- 385. Protection of innocent sellers of periodicals.
- 386. Protection of innocent sellers of books.
- 387. Protection of employers.
- 388. Prosecution of newspapers to be by sanction of a Judge after notice.
- 389. Summary jurisdiction in trivial cases of defamation.

(63 Vic. No. 9.)  
THE CRIMINAL CODE, 1899

PART V-OFFENCES AGAINST THE PERSON AND RELATING TO MARRIAGE  
RIGHTS AND DUTIES AND REPUTATION OF INDIVIDUALS

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- 373. Absolute protection: Reports of official inquiries.
- 374. Protection: Reports of matters of public interest.
- 375. Protection: Fair comment.
- 376. Protection: Truth.
- 377. Qualified protection: Excuse.
- 378. Good faith.
- 379. Relevancy and public benefit questions of fact.
- 380. Unlawful publication of defamatory matter.
- 381. Defamation of members of Parliament by strangers.
- 382. Defence in case of defamation by words, sounds, signs, signals, or gestures.
- 383. Publishing or threatening to publish defamatory matter with intent to extort money.
- 384. Liability of proprietor, publisher, and editor of periodicals.
- 385. Protection of innocent sellers of periodicals.
- 386. Protection of innocent sellers of books.
- 387. Protection of employers.
- 388. Prosecution of newspapers to be by sanction of a Judge after notice.
- 389. Summary jurisdiction in trivial cases of defamation.

As this appears to be the case and *if this is the case*, how does omitting, or omitting to include, at least two Chapters of the Civil and Criminal Statutory and Constitutional Code Law of the Commonwealth *not affect the Law* (or not change the effect of the law)?



**TREASON, REVOLUTION, AND SABOTAGE**  
**(CRIMINAL LAW STATUTES, 1899-2017[?])**

**REFORMATION PROJECT**  
**(2019)**

The following few pages contain transcripts of statutes dealing with the crimes of *treason* (or strictly, crimes against the Sovereign and Sovereignty of the Commonwealth), *revolution* (or crimes against the established or *as constituted form* of Law and Governance of the Commonwealth), and *sabotage* (or, in a general sense, crimes against the lawful apparatuses of the Commonwealth).

The treason statutes in **THE CRIMINAL CODE, 1899** appear to have been unlawfully repealed between **2017** and **2018**, and those in **CRIMES ACT 1914** and **CRIMES ACT 1958** seem to have been *de-promulgated* along with the rest of those Acts, and may or may not have been “repealed” (or “*abolished*” as the traitors, revolutionaries and saboteurs like to say). [The version of **CRIMES ACT 1914** from which the transcriptions (following) are made has been sabotaged and is only used here for completeness.]

## TREASON, REVOLUTION, AND SABOTAGE



(63 Vic. No.9)  
THE CRIMINAL CODE, 1899

PART II-OFFENCES AGAINST PUBLIC ORDER

CHAPTER VI-TREASON AND OTHER OFFENCES AGAINST  
THE SOVEREIGN'S PERSON AND AUTHORITY

*37. Treason*

Any person who –

(1) Kills the Sovereign, or does Her any bodily harm tending to Her death, or maim[ing] or wounding, or imprisonment or restraint; or

(2) Kills the eldest son and heir-apparent for the time being of the Sovereign, or the Queen Consort of the reigning King; or

(3) Forms an intention to do any such act as aforesaid, and manifests such intention by any overt act; or

(4) Conspires with any other person to kill the Sovereign or to do Her any bodily harm tending to Her death, or maim[ing] or wounding, or imprisonment or restraint; or

(5) Levies war against the Sovereign –

(a) With intent to depose the Sovereign from the style, honour, and royal name, of the Imperial Crown of the United Kingdom of Great Britain and Ireland, or of any other of Her Majesty's dominions; or

(b) In order by force or constraint to compel the Sovereign to change Her measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe, any House of Parliament of any of Her Majesty's dominions; or

(6) Conspires with any other person to levy war against the Sovereign with any such intent or purpose at last aforesaid; or

(7) Instigates any foreigner to make an armed invasion of any part of Her Majesty's dominions;  
or

(8) Assists by any means whatever any public enemy at war with the Sovereign; or

(9) Violates, whether with her consent or not, a Queen Consort, or the wife of the eldest son and heir-apparent for the time being of the Sovereign;

is guilty of a crime, which is called treason, and is liable to [imprisonment with hard labour for life, which cannot be mitigated or varied under section nineteen of this Code].

The words in square brackets were substituted for “**the punishment of death**” by The Criminal Code Amendment Act of 1922, s.3 (iv), *post*. As to abolition of punishment by death, see *ibid.*, s.2.

See also ss.39, 40, 41, 43, 50, 566(1), 633, 696, *post*.

With paras.(7) and (8), *cf.*, The Crimes Act 1914-1932, s.24 (Commonwealth). See also Part IIA of that Act.

As to treason, see generally Halsbury's Laws of England (2nd ed.), Vol.9, pp. 290, *et seq.*

As to oaths to commit treason, see s.47, *post*.

It is the duty of the Commonwealth to protect the States from invasion and domestic violence. See Commonwealth Constitution, s.119, title COMMONWEALTH AND STATES.

**TREASON, REVOLUTION, AND SABOTAGE**

(63 Vic. No.9)  
THE CRIMINAL CODE, 1899

PART II-OFFENCES AGAINST PUBLIC ORDER

CHAPTER VI-TREASON AND OTHER OFFENCES AGAINST  
THE SOVEREIGN'S PERSON AND AUTHORITY

*38. Concealment of Treason*

Any person who –

(1) Becomes an accessory after the fact to treason; or

(2) Knowing that any person intends to commit treason, does not give information thereof with all reasonable despatch to a justice or use other reasonable endeavours to prevent the commission of the crime;

is guilty of a crime, and is liable to imprisonment with hard labour for life.

For when a person is an accessory after the fact, see s. 10, *ante*.

For law as to concealment of treason, see Halsbury's Laws of England (2nd ed.), Vol. 9, p. 354.

*39. Treasonable Crimes*

Any person who forms an intention to effect any of the following purposes, that is to say–

(a) To depose the Sovereign from the style, honour, and royal name, of the Imperial Crown of the United Kingdom of Great Britain and Ireland, or of any other of Her Majesty's dominions; or

(b) To levy war against the Sovereign within any part of Her dominions in order by force or constraint to compel the Sovereign to change Her measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe, any House of Parliament of any of Her Majesty's dominions; or

(c) To instigate any foreigner to make an armed invasion of any of Her Majesty's dominions; and manifests such intention by any overt act, is guilty of a crime, and is liable to imprisonment with hard labour for life.

A person charged with any of the crimes defined in this section is not entitled to be acquitted on the ground that any act proved to have been committed by him constitutes the crime of treason; but a person who has been tried, and convicted or acquitted, on a charge of any such crime cannot be afterwards prosecuted for treason in respect of the same facts.

See also, ss. 40, 41, 43, *post*.

*cf.* s. 3 of The Treason Felony Act, 1848 (Imperial), Halsbury's Statutes of England, Vol. 4, p 480.

See Halsbury's Laws of England (2nd ed.), Vol. 9, p. 299.

TREASON, REVOLUTION, AND SABOTAGE

(63 Vic. No.9)  
THE CRIMINAL CODE, 1899

PART II-OFFENCES AGAINST PUBLIC ORDER

CHAPTER VI-TREASON AND OTHER OFFENCES AGAINST  
THE SOVEREIGN'S PERSON AND AUTHORITY

*40. Time for Proceeding in cases of Treason or Concealment of Treason:  
Two Witnesses Necessary*

A person cannot be tried for treason or for any of the crimes defined in the two last preceding sections unless the indictment is presented within two years after the crime is committed:

Nor can a person charged with treason or with any of such crimes be convicted, except on his own plea of guilty, or on the evidence in open Court of two witnesses at the least to one overt act of the kind of treason alleged, or the evidence of one witness to one overt act, and one other witness to another overt act of the same kind of treason. This section does not apply to cases in which the overt act of treason alleged is the killing of the Sovereign, or a direct attempt to endanger the life or injure the person of the Sovereign.

As to charge and evidence of an overt act, see also ss. 566 (1), 633, *post*.

*cf.* s. 2 The Treason Act, 1695 (Halsbury's Statutes of England, Vol. 4, p. 329), repealed as to Queensland by s. 3 (1) of this Act, *ante*.

*41. Inciting to Mutiny*

Any person who advisedly attempts to effect any of the following purposes, that is to say –

(a) To seduce any person serving in Her Majesty's Forces by sea or land from his duty and allegiance to Her Majesty; or

(b) To incite any such person to commit an act of mutiny or any traitorous or mutinous act; or

(c) To incite any such persons to make or endeavour to make a mutinous assembly;

is guilty of a crime, and is liable to imprisonment with hard labour for life, with or without solitary confinement.

A person who has been tried, and convicted or acquitted, on a charge of any of the crimes defined in this section cannot be afterwards prosecuted for any other crime defined in this Chapter in respect of the same facts.

As to solitary confinement, see s. 19 (5), *ante*, and s. 654, *post*.

*cf.* The Incitement to Mutiny Act, 1797 (Halsbury's Statutes of England, Vol. 4, p. 393), repealed as to Queensland by s. 3 (1) of this Act, *ante*.

For the duty of the Commonwealth to protect States from invasion and domestic violence, see Commonwealth Constitution, s. 119, title COMMONWEALTH AND STATES.

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*42. Assisting Escape of Prisoners of War*

Any person who –

(1) Knowingly and advisedly aids an alien enemy of Her Majesty, being a prisoner of war in Queensland, whether such prisoner is confined in a prison or elsewhere or is suffered to be at large on his parole, to escape from his prison or place of confinement, or, if he is at large on his parole, to escape from Queensland; or

(2) Being a person who owes allegiance to Her Majesty after any such prisoner has escaped by sea from any part of Her Majesty's dominions, knowingly and advisedly upon the high seas within the territorial waters of Queensland aids him in his escape to or towards any other dominion or place; is guilty of a crime, and is liable to imprisonment with hard labour for life.

Similar provision is contained in s. 26 of The Crimes Act 1918-1932 (Commonwealth).  
cf. s. 1 of The Prisoners of War Escape Act, 1812 (Halsbury's Statutes of England, Vol. 13, p. 266) repealed as to Queensland by this Act, *ante*.

*43. Overt Act*

In the case of any of the offences defined in this Chapter, when the manifestation by an overt act of an intention to effect any purpose is an element of the offence, every act of conspiring with any person to effect that purpose, and every act done in furtherance of the purpose by any of the persons conspiring, is deemed to be an overt act manifesting the intention.

As to charge and evidence of an overt act, see ss. 566 (1), 633, *post*.

TREASON, REVOLUTION, AND SABOTAGE

(63 Vic. No.9)  
THE CRIMINAL CODE, 1899

PART II—OFFENCES AGAINST PUBLIC ORDER

CHAPTER VIII—OFFENCES AGAINST THE EXECUTIVE AND LEGISLATIVE POWER

[ 54A. *Demands with menaces upon agencies of government*

[Heading inserted by Act of 1984, No. 32, s. 3. & s. 54A inserted by Act of 1984, No. 32, s. 3.]

Any person who demands that anything be done or omitted to be done or be procured by—

the Government of Queensland or a person in the employment of the Crown in right of Queensland, in performance of the duties of his employment or otherwise in his official capacity;  
the Governor, in his role of Governor;  
a Minister of the Crown, in his office as Minister or as a member of the Executive Council of Queensland;  
a government corporation, in discharge of its functions conferred by law, or a person in the employment of a government corporation, in performance of the duties of his employment or otherwise in his official capacity,

with threats of injury or detriment of any kind to be caused to any person aforesaid or any other person or to the public or any member or members of the public or to property, by the offender or by any other person, if the demand is not complied with is guilty of a crime and is liable to imprisonment with hard labour for 14 years.

A person is not criminally responsible for an act referred to in the preceding paragraph if the injury or detriment is threatened to himself only or to property of which he is the sole owner.

It is immaterial to the commission of an offence defined in this section that—

- (a) the demand or threat is made by means of a medium ordinarily used for disseminating information to the public and not to a particular person; or
- (b) the threat does not specify the injury or detriment that is to be caused or the person or persons to whom or the property to which it is to be caused.

If the carrying out of the threat would be likely to cause—

- (a) loss of life or serious personal injury to any person; or
- (b) substantial economic loss—
  - to the Crown; or
  - to a government corporation; or
  - in any industrial or commercial activity whether conducted by a public authority or as a private enterprise.

The offender is liable to imprisonment with hard labour for life and if, in addition, the offender or another person on his behalf has carried out the threat and thereby caused a consequence specified in this paragraph or has by some overt act begun to prepare for the carrying out of the threat, the offender is liable to imprisonment with hard labour for life, which cannot be mitigated or varied under section 19 of this Code.

A prosecution for an offence defined in this section shall not be commenced without the consent of the Attorney-General.

For the purposes of this section:

“**Governor**” includes a person for the time being administering the Government of Queensland and a Deputy Governor;

“**government corporation**” means any body corporate or corporation sole constituted by or under an Act that represents the Crown or that is declared by Order in Council to be a government corporation for the purposes of this section;

“**injury or detriment**” includes destruction of or damage to

- (a) flora or fauna protected by or under an Act;
- (b) any relic within the meaning of the Aboriginal Relics Preservation Act 1967-1976;
- (c) any place, thing or living creature or plant that by reason of its cultural, educational, environmental, historical, recreational, religious or scientific significance is of substantial public interest or concern, and, in the absence of proof that any such item destroyed or damaged was or is the property of a particular person, shall be deemed to be *injury or detriment to the Crown*.]

TREASON, REVOLUTION, AND SABOTAGE

## CRIMES ACT 1914

An Act relating to Offences against the Commonwealth

No. 12, 1914, Compilation No. 111

(Compilation date: 10/3/16)

### *Part II—Offences against the Government*

#### *24AA Treachery*

(1) *A person shall not:*

(a) do any act or thing with intent:

(i) to overthrow the Constitution of the Commonwealth by revolution or sabotage; or

(ii) to overthrow by force or violence the established government of the Commonwealth, of a State or of a proclaimed country; or

(b) within the Commonwealth or a Territory not forming part of the Commonwealth:

(i) levy war, or do any act preparatory to levying war, against a proclaimed country;

(ii) assist by any means whatever, with intent to assist, a proclaimed enemy of a proclaimed country; or

(iii) instigate a person to make an armed invasion of a proclaimed country.

(2) Where a part of the Defence Force is on, or is proceeding to, service outside the Commonwealth and the Territories not forming part of the Commonwealth, a person shall not assist by any means whatever, with intent to assist, any persons:

(a) against whom that part of the Defence Force, or a force that includes that part of the Defence Force is or is likely to be opposed; and

(b) who are specified, or included in a class of persons specified, by proclamation to be persons in respect of whom, or a class of persons in respect of which, this subsection applies.

(3) A person who contravenes a provision of this section commits an indictable offence, called treachery.

***Penalty: Imprisonment for life.***

(4) In this section:

***proclaimed country*** means a country specified by proclamation made for the purpose of this definition to be a proclaimed country, and includes any colony, overseas territory or protectorate of that country, or any territory for the international relations of which that country is responsible, which is a colony, overseas territory, protectorate or territory to which the proclamation is expressed to extend.

***proclaimed enemy***, in relation to a proclaimed country, means an enemy—

(a) of and at war with a proclaimed country, whether or not the existence of a state of war has been declared; and

(b) specified by proclamation made for the purpose of this definition to be an enemy of and at war with that country.

(5) A proclamation shall not be made for the purpose of the definition of ***proclaimed country***, or for the purpose of the definition of ***proclaimed enemy***, in subsection (4) except in pursuance of a resolution of each House of the Parliament passed within the preceding period of 21 days.

## TREASON, REVOLUTION, AND SABOTAGE

## CRIMES ACT 1958

No. 6231 of 1958

(An Act to consolidate the Law Relating to Crimes and Criminal Offenders.)

Authorised Version incorporating amendments as at 1 January 2012

### *Part I—Offences*

#### *9A Treason*

(1) *A person who—*

(a) kills the Sovereign, does the Sovereign any bodily harm tending to the death or destruction of the Sovereign or maims, wounds, imprisons or restrains the Sovereign;

(b) kills the eldest son and heir apparent, or the Consort, of the Sovereign;

(c) levies war, or does any act preparatory to levying war, against the Commonwealth of Australia;

(d) assists by any means whatever, with intent to assist, an enemy at war with the Commonwealth of Australia, whether or not the existence of a state of war has been declared;

(e) instigates a foreigner to make an armed invasion of the Commonwealth or any Territory not forming part of the Commonwealth; or

(f) forms an intention to do any act referred to in a preceding paragraph of this subsection and manifests that intention by an overt act—

*shall be guilty of an indictable offence, called treason, and liable to—*

(g) level 1 imprisonment (life); or

(h) imprisonment for such other term as is fixed by the court—as the court determines.

(2) *A person who—*

(a) receives or assists another person who is to his knowledge guilty of treason in order to enable him to escape punishment; or

(b) knowing that a person intends to commit treason, does not give information thereof with all reasonable despatch to a constable or use other reasonable endeavours to prevent the commission of the offence—shall be guilty of an indictable offence.

Penalty: Level 3 imprisonment (20 years maximum).

(3) On the trial of a person charged with treason on the ground that he formed an intention to do an act referred to in paragraph (a), (b), (c), (d) or (e) of subsection (1) of this section and manifested that intention by an overt act, evidence of the overt act shall not be admitted unless the overt act was alleged in the indictment.

## TREASON, REVOLUTION, AND SABOTAGE



## CRIMES ACT 1914

An Act relating to Offences against the Commonwealth  
No. 12, 1914, Compilation No. 111  
(Compilation date: 10/3/16)

### 24AB Sabotage

(1) In this section:

*act of sabotage* means the destruction, damage or impairment, with the intention of prejudicing the safety or defence of the Commonwealth, of any article:

(a) that is used, or intended to be used, by the Defence Force or a part of the Defence Force or is used, or intended to be used, in the Commonwealth or a Territory not forming part of the Commonwealth, by the armed forces of a country that is a proclaimed country for the purposes of section 24AA;

(b) that is used, or intended to be used, in or in connexion with the manufacture, investigation or testing of weapons or apparatus of war;

(c) that is used, or intended to be used, for any purpose that relates directly to the defence of the Commonwealth; or

(d) that is in or forms part of a place that is a prohibited place within the meaning of section 80.  
*article* includes any thing, substance or material.

(2) A person who:

(a) carries out an act of sabotage; or

(b) has in his or her possession any article that is capable of use, and which he or she intends for use, in carrying out an act of sabotage;

commits an indictable offence.

Penalty: Imprisonment for 15 years.

(3) On a prosecution under this section it is not necessary to show that the accused person was guilty of a particular act tending to show an intention to prejudice the safety or defence of the Commonwealth and, notwithstanding that such an act is not proved against him or her, he or she may be convicted if, from the circumstances of the case, from his or her conduct or from his or her known character as proved, it appears that his or her intention was to prejudice the safety or defence of the Commonwealth.

(4) On a prosecution under this section, evidence is not admissible by virtue of subsection (3) if the magistrate exercising jurisdiction with respect to the examination and commitment for trial of the defendant, or the judge presiding at the trial, as the case may be, is of the opinion that that evidence:

(a) would not tend to show that the defendant intended to prejudice the safety or defence of the Commonwealth; or

(b) would, having regard to all the circumstances of the case and notwithstanding subsection (5), prejudice the fair trial of the defendant.

(5) If evidence referred to in subsection (4) is admitted at the trial, the judge shall direct the jury that the evidence may be taken into account by the jury only on the question whether the defendant intended to prejudice the safety or defence of the Commonwealth and must be disregarded by the jury in relation to any other question.

## TREASON, REVOLUTION, AND SABOTAGE

## CRIMES ACT 1914

An Act relating to Offences against the Commonwealth  
No. 12, 1914, Compilation No. 111  
(Compilation date: 10/3/16)

### *24AC Institution of prosecutions*

(1) Proceedings for the commitment for trial of a person, or for the summary conviction of a person, in respect of an offence against section 24AA or 24AB shall not be instituted except by the Attorney-General or with the consent of the Attorney-General or of a person thereto authorized in writing by the Attorney-General.

(2) Notwithstanding that consent has not been obtained as provided by subsection (1):

(a) a person may be arrested for an offence referred to in that subsection; or

(b) a warrant for the arrest of a person for such an offence may be issued and executed;

and he or she may be charged, and may be remanded in custody or on bail, but:

(c) no further proceedings shall be taken until that consent has been obtained; and

(d) he or she shall be discharged if proceedings are not continued within a reasonable time.

justice of or in the Commonwealth, a State, a Territory or another country, with a view to the reformation of those errors or defects;

(c) to excite in good faith another person to attempt to procure by lawful means the alteration of any matter established by law in the Commonwealth, a State, a Territory or another country;

(d) to point out in good faith, in order to bring about their removal, any matters that are producing, or have a tendency to produce, feelings of ill-will or hostility between different classes of persons; or

(e) to do anything in good faith in connexion with an industrial dispute or an industrial matter.

[3] For the purpose of subsection (1), an act or thing done:

(a) for a purpose intended to be prejudicial to the safety or defence of the Commonwealth;

(b) with intent to assist an enemy:

(i) at war with the Commonwealth; and

(ii) specified by proclamation made for the purpose of paragraph 80.1AA(1)(b) of the *Criminal Code* [1995] to be an enemy at war with the Commonwealth;

(ba) with intent to assist:

(i) another country; or

(ii) an organisation (within the meaning of section 100.1 of the *Criminal Code* [1995]);

that is engaged in armed hostilities against the Australian Defence Force;

(c) with intent to assist a proclaimed enemy, as defined by subsection 24AA(4) of this Act, of a proclaimed country as so defined;

(d) with intent to assist persons specified in paragraphs 24AA(2)(a) and (b) of this Act; or

(e) with the intention of causing violence or creating public disorder or a public disturbance;

is not an act or thing done in good faith.

### *29 Destroying or damaging Commonwealth property*

(1) Any person who intentionally destroys or damages any property, whether real or personal, belonging to the Commonwealth or to any public authority under the Commonwealth, commits an offence. Penalty: Imprisonment for 10 years.

(2) For the purposes of an offence against subsection (1), absolute liability applies to the physical element of circumstance of the offence, that the property is property belonging to the Commonwealth or to any public authority under the Commonwealth.

Note: For *absolute liability*, see section 6.2 of the *Criminal Code* [1995].

## TREASON, REVOLUTION, AND SABOTAGE

**sabotage ...** — *n.* malicious destruction: action taken to prevent the achievement of any aim. — Also *v.t.* and *v.i.* — *n.* **saboteur ...** one who sabotages. [Fr. *sabot.*] (**Chambers Concise 20th Century Dictionary**)

## **Crimes Act 1958**

(An Act to consolidate the Law Relating to Crimes and Criminal Offenders)

Authorised Version No. 229A

No. 6231 of 1958

Authorised Version incorporating amendments as at 1 January 2012

## **Sabotage**

### ***247J Interpretation***

(1) In this Subdivision —

**property offence** means —

- (a) an offence against Subdivision (1) of this Division or Division 4; or
- (b) conduct in another jurisdiction that is an offence in that jurisdiction and that would constitute an offence against Subdivision (1) of this Division or Division 4 if the conduct occurred in Victoria;

**public facility** means any of the following (whether publicly or privately owned) —

- (a) a government facility, including premises used by government employees in connection with official duties;
- (b) a public infrastructure facility, including a facility providing or distributing water, sewerage, energy, fuel, communication or other services to, or for the benefit of, the public;
- (c) a public information system, including a system used to generate, send, receive, store or otherwise process electronic communications;
- (d) a public transport facility, including a conveyance used to transport people or goods;
- (e) a public place, including any premises, land or water open to the public;

**unauthorised computer function** has the same meaning as in Subdivision (6).

(2) In this Subdivision **damage**, in relation to a public facility, means —

- (a) cause damage to the facility or any part of the facility; or
- (b) cause disruption to the use or operation of the facility.

(3) For the purposes of an offence against this Subdivision, a person causes any damage or disruption if the person's conduct substantially contributes to the damage or disruption.

## **TREASON, REVOLUTION, AND SABOTAGE**

## **Crimes Act 1958**

(An Act to consolidate the Law Relating to Crimes and Criminal Offenders)

Authorised Version No. 229A

No. 6231 of 1958

Authorised Version incorporating amendments as at 1 January 2012

### ***247K Sabotage***

A person who—

(a) damages a public facility by committing a property offence or by causing an unauthorised computer function; and

(b) intends to cause—

(i) major disruption to government functions; or

(ii) major disruption to the use of services by the public; or

(iii) major economic loss—

is guilty of an offence and liable to level 2 imprisonment (25 years maximum).

### ***247L Threats to sabotage***

(1) A person who—

(a) makes to another person a threat to damage a public facility by committing a property offence or by causing an unauthorised computer function; and

(b) intends that person to fear that the threat will be carried out and will cause—

(i) major disruption to government functions; or

(ii) major disruption to the use of services by the public; or

(iii) major economic loss—

is guilty of an offence and liable to level 4 imprisonment (15 years maximum).

(2) In the prosecution of an offence against this section it is not necessary to prove that the person threatened actually feared that the threat would be carried out.

(3) For the purposes of this section—

(a) a threat may be made by any conduct and may be explicit or implicit, conditional or unconditional; and

(b) a threat to a person includes a threat to a group of persons; and

(c) fear that a threat will be carried out includes apprehension that it will be carried out.

## **TREASON, REVOLUTION, AND SABOTAGE**